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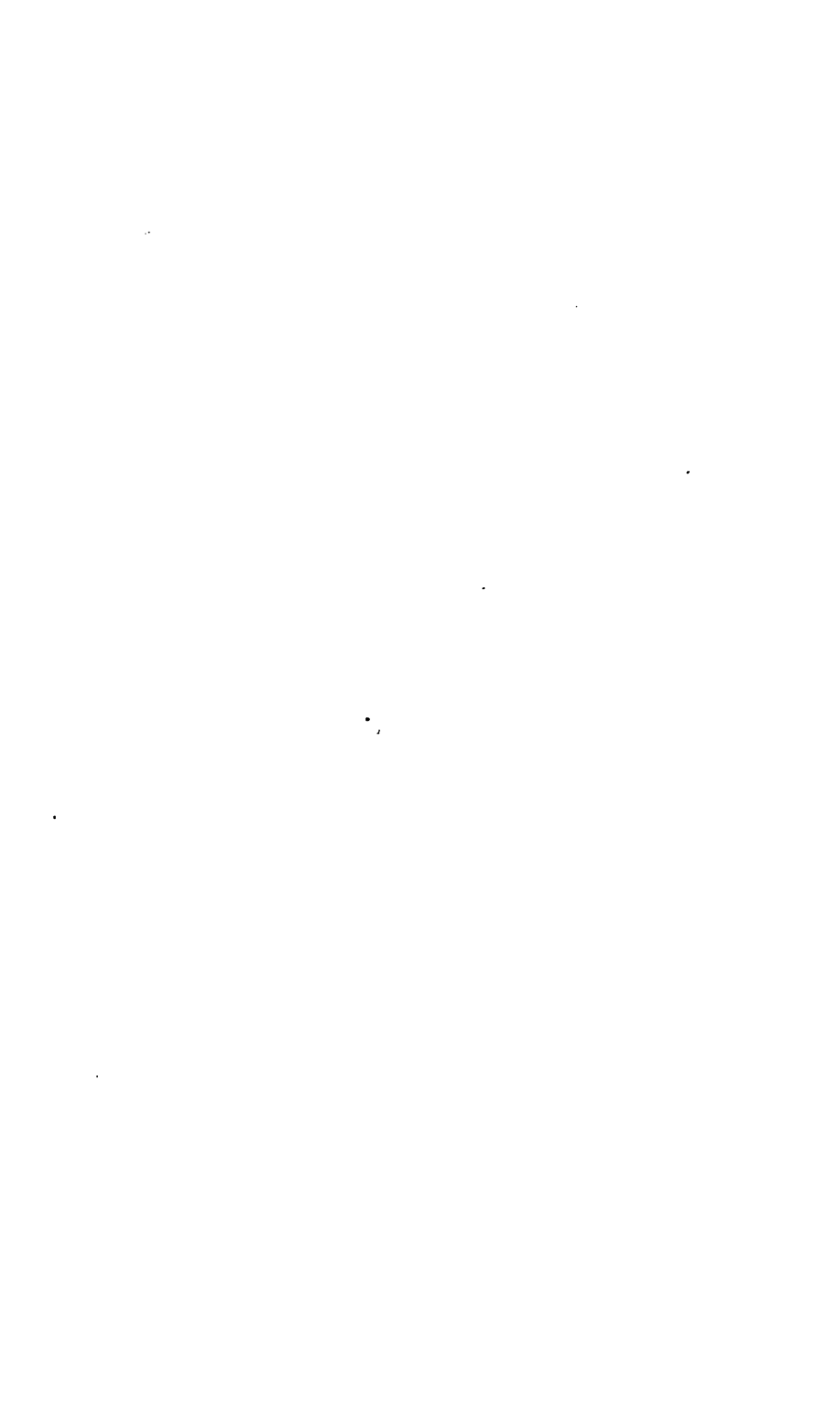
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Grattan









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**SPEECHES**  
—  
**OF THE**  
**RIGHT HON. HENRY GRATTAN,**  
—  
**WITH**  
***PREFATORY OBSERVATIONS.***  
  
**THE WHOLE COMPRISING**  
  
**A BRIEF REVIEW**  
  
**OF THE**  
  
**MOST IMPORTANT POLITICAL EVENTS**  
  
**IN THE**  
  
**HISTORY OF IRELAND.**

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**VOLUME I.**

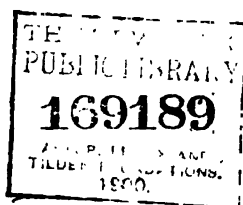
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## INTRODUCTION.

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**WHEN** the Editor of MR. GRATTAN'S Speeches first entertained the idea of collecting and compiling the eloquence of his distinguished countryman, he was influenced by two considerations to the prosecution of so important and national a work. The first, that the present circumstances under which his Country was placed, required more than ever the general diffusion of those principles which first tended to promote the happiness and prosperity of Ireland.—The second, that he conceived he would add, in a great and eminent degree, to the many valuable works of this kind which are daily issuing from the Press, and gratify that taste for eloquence which has been so much the object of every man's attainment and ambition.—The only claim which the Editor of this Volume has to public patronage is, that he has spared no labour in endeavouring to give

to the public the most faithful reports of the Speeches which he has collected—and that he has diligently examined the various records where the best and most faithful reports could be found.—That he has made every effort to do justice to the splendid talents of Mr. GRATTAN, by an attentive comparison of those reports, will perhaps be acknowledged by such readers, who have been witnesses of the great exertions of our Orator; exertions which now constitute a new era in English eloquence. In collecting the productions of that mind which so eloquently poured forth its treasures—in compiling, with industry and care, the labours of that man, whose talents raised his Country from slavery to freedom, the Editor hopes, if he shall not enjoy the praise, he may at least escape the severity, of the Critic; and that he shall have gratified the friend of literature, and the man of taste, the admirer of genius, and the advocate of liberal principles and enlightened legislation, by rescuing the Speeches of Mr. GRATTAN from the mouldering records of Newspapers, and the widely extended surface of Parliamentary debates; and it is a debt which the Editor owes to the fame of this distinguished Senator, to state, that those and similar records, are the *only* sources from which he has taken the Speeches now given to the public.

It will now be necessary to state those reasons which influenced the Editor to com-

mence the first Volume of Mr. GRATTAN'S Speeches with his celebrated effort on the Commercial Propositions, introduced into the Irish Parliament by Mr. Orde, and to state the motives which induced him to introduce into the Preface the Speeches which Mr. GRATTAN pronounced before this period.—The motives which determined him to make such an arrangement, were, the sincere regard and anxiety for the fame of this distinguished orator.—The first unamutilated and complete speech which the industry of the Editor could collect, is that with which the First Volume commences, while the few brilliant fragments which the indolence of the reporters have left of his earlier exertions, will be found in the Preface.—These fragments, though exhibiting powers of language, and splendor of imagination, superior to any of Mr. GRATTAN'S Irish cotemporaries, perhaps superior to the efforts of any English orator, yet fall far short in that copiousness and variety of illustration; that precision of logical arrangement, which distinguish those Speeches that have been reported from the year 1785.—No doubt passages will be found which the memory takes down with delight, which the imagination and understanding contemplate with pleasure, and which convey no very faint idea of the extent of those powers, which roused an injured nation to aspire to freedom, and which finally established the triumph of the orator in the independence of his country. The Editor, therefore, conceived it a duty he owed to the reputation of Mr. GRATTAN, not to



give those Speeches that place in his collection, which would induce the opinion that he considered them as perfect or correct reports; he has, however, anxious to convey that pleasure which their perusal must excite, interwoven them with the brief narrative of the splendid events which they produced; thus forming an interesting and necessary link in that chain of our History, on which Irishmen look back with mingled sensations of pride and regret.

The Editor of these Volumes cannot avoid expressing his unfeigned regret, that the Speeches of Mr. GRATTAN, pronounced upon these occasions, so congenial to and affording a scope so worthy of the exertions of his splendid oratory, should have been so imperfectly reported; and it must be a source of sorrow to every lover of freedom, and genuine eloquence, that the happiest period which the genius of Mr. GRATTAN ever enjoyed, to give full and unlimited scope to the energy of his mind and the soarings of his fancy, was neglected by those who took the trouble to mutilate his beauties, extinguish his fire, and curtail the most precious of his thoughts.

In offering to the Public the following Speeches of Mr. GRATTAN, the Editor conceives it might not be uninteresting, to trace a brief outline of the various encroachments which Ireland has suffered, from the unjust interference of the British Legislature; to give a short enumeration of the various acts of usurpation, by which the independence of the Irish Parliament

was subverted; to point out that malignant spirit of British monopoly, which extinguished the commerce, impoverished the manufactures, and robbed of her natural resources a country rich in every gift that nature in her bounty could bestow; and finally, to afford a brief review of the history of Ireland, from its invasion by Henry, down to that proud and distinguished period, which witnessed at the same moment the assertion of Irish rights, and the first efforts of our illustrious Countryman.—In this sketch it will be seen, how intimately connected the exertions of this enlightened Senator have been with the rise and progress of his Country to prosperity and independence;—that he rose in fame as she rose in liberty, in commerce, and in wealth.—Here Mr. GRATTAN will be seen the bold, indefatigable, and eloquent promoter of every great measure, which tended to establish her liberties and her glory—and the same pen which records the struggles of a brave, a generous, and a grateful nation, will be, at the same time, giving to the world, the principal features of Mr. GRATTAN's character, and the foundation of his claim to the admiration of posterity.—Gifted by nature with an understanding of the first order—enriched by cultivation, and chastened by a correct and critical observation of the ancient orators, he united to an eloquence, argumentative, splendid, popular, and impressive, an undaunted spirit, and an uncorrupted heart. Sagacious, bold and intrepid, he saw, he

dared, and he succeeded.—He was the first who taught Ireland that she might become a Nation; he inspired her by his eloquence, animated her by his courage, strengthened her by his authority, adorned her by his talents,—and guided her most adventurous efforts, by the wisdom of his councils.—He laid the foundation, raised the superstructure, and witnessed the fall of Irish freedom; and to use his own eloquent and expressive language, “He watched by the cradle of Irish independence, and he followed its hearse.”

His wisdom was practical, frequently prophetic, remedial for the present, warning for the future;—he pointed out how Ireland might be free; and a patriot senate, backed by a patriot army, achieved her independence.

That the life-time of Irish liberty was short, its author is not to blame: Mr. GRATTAN, when he led the way to our independence, warned us against the machinations of those that corrupted and seduced us to our ruin.—But his warnings were disregarded; and the man whose talents, virtue, and integrity enabled the sun of Ireland to gain the ascendant, witnessed also its extinction.

The measures which Mr. GRATTAN recommended, and which would have saved that independence, which was so gloriously achieved, were uniformly opposed by the corrupt influence of a corrupt Administration; and every engine was resorted to, to misrepresent the views, and blacken the reputation, of a man, whose cou-

rage and whose talents they feared, and whose integrity they could not corrupt. When the feelings of party spirit shall have passed away, —when the whole scene, in which our eloquent countryman took so distinguished a part, shall be laid before the cool and dispassionate eye of futurity, the services which Mr. GRATTAN rendered to his country will be remembered with enthusiasm, and repaid with gratitude ; and the future men of Ireland will revere his memory, and erect monuments to his virtue and to his fame.

Though at one time the idol of the people, at another the object of their anger—alternately the subject of the panegyric or reproach of the Castle, he held on his course unmoved and unshaken—always obeying the dictates of a mind uncontrolled by tumult, and uninfluenced by threats. He opposed himself to the excesses of the Castle, and the excesses of the people ; and would have saved all, by balancing the powers of both. *Irish liberty and British connection* appear to have been the guiding stars by which he shaped his course ; no wonder, therefore, that those who, to exalt themselves, were the instruments of their country's debasement, dreaded the denunciations of Mr. GRATTAN, who always stood at his post, to frustrate their designs, and detect their conspiracies.—With equal zeal he guarded the connection between England and Ireland. Seeing the safety of both countries in their mutual liberty and mutual affection, possessing equal laws and equal privileges, he opposed the advocates of separation with as much

ardour as he supported the independence and permanency of the Irish constitution.—“The sea,” says this great man, “protested against union—the ocean, against separation.”

The merits of Mr. GRATTAN, as a public speaker, have been well described by two pens, at different periods, and under different circumstances. The Editor gives these descriptions as he has found them, without addition or diminution;—he conceives that the respective authors have, with peculiar felicity, pourtrayed his perfections and defects—the powers of his mind, and—the errors of his address.

Immediately after Mr. GRATTAN’S celebrated first speech on the Catholic question, in the Imperial Parliament, May 12, 1805, an observant critic thus speaks of him :

“Ungraceful in his action, harsh and monotonous in his tone ; at times so rapid as to be followed with difficulty, and occasionally sinking his voice so low as to be scarcely audible, Mr. Grattan does not at first recommend himself to his audience.—Novel in the arrangement of his matter, able in his arguments, his eloquence is of a new and peculiar stamp ; it has no resemblance to the eloquence of any of our distinguished orators ;—it is not the roundness, the *ore rotundo* of Mr. Pitt ;—it is not the simple majesty of Mr. Fox ;—it is not the brilliancy of Mr. Sheridan. Occasionally, however, we caught a tint, a feature of resemblance to Mr. Burke : but he has not that commanding figure and manner, that volume of voice, that superabun-

dant richness and fertility of fancy, that vast grasp and range of mind, which Mr. Burke possessed beyond all other created beings. Mr. Grattan's is a distinct species of eloquence from that of any other man:—"he stands alone, and he is able to stand alone."

A writer of a short biographical sketch of Mr. Grattan, appears to have been well acquainted with his talents as an orator, and has thus characterized them :

"As a public speaker, Mr. Grattan ranks in the highest class. In his speeches there is a grandeur, which marks a mind of a superior order, and enforces at once reverence and admiration. On every subject which he treats, he throws a radiance, which enlightens without dazzling; and while it assists the judgment, delights the imagination. His style is always peculiar; it varies its character with the occasion. At one time, close and energetic, it concentrates the force of his argument, and compels conviction;—at another, diffuse, lofty and magnificent, it plies itself to every faculty of the mind, charms our fancy, influences our will, and convinces our understanding. At all times, his manner is animated with a pleasing warmth, which renders it impossible to hear him without interest;—but on some occasions, he exerts a power, which is irresistible. Prostitution, under its influence, forgets for a moment the voice of the Minister, and place, and pension, and peerage, have but a feeble hold even of the most degenerate.—To the excellence of style he does not add the graces of action; it is forcible, in-



deed, and sometimes expressive; but it is seldom elegant, and never pleasing. For invective, to which Mr. Grattan has sometimes deigned to have recourse, his manner is better adapted, than to the sedateness of cool disquisition: and yet invective is not that in which he principally excels: he is more fitted by nature, and happily the situation he has filled, has more frequently called him to defend the rights of nations, and to pourtray the hopes, the fears, and the expectations of a magnanimous people, than to descend to a wordy contest with individuals;—though when that contest has been instituted, the weapons of Mr. Grattan have been found sharp, if not polished, and capable of inflicting wounds which refuse to be healed.”

To those not acquainted with the history of Ireland, the following introduction may not be uninteresting:

The history of Ireland, from its invasion by the second Henry, down to the accession of Mr. Grattan to the Parliament of his native country, in the year 1775, affords few æras on which the mind can dwell with pleasure; but, on the contrary, exhibits a melancholy picture, unrelieved by one gleam of happiness, of internal warfare, turbulence, and faction. From the period of the English establishment, first effected, afterwards established, and finally secured by domestic treachery and division, there appears to have been no intention, on the part of the invaders, to give the people the benefit of free and wholesome laws; and so far from wishing to coalesce and unite with the native

inhabitants, the ill-fated policy of the invaders appears to have been to foment and perpetuate dissension, animosity, and hatred between the two nations; and it would appear, as Sir John Davis testifies, "that such as had the Government of Ireland, under the Crown of England, did intend to make a perpetual separation and enmity between the English and Irish."

Long did this ill-fated country groan under oppression and injustice,—her rights trampled upon and disregarded—her complaints unattended to—and her sufferings unredressed; labouring under every corruption in her domestic government, deprived of all internal police, plundered by rapacious foreigners, and abandoned in despair by her children.

The King's deputies, and the deputies of these deputies, that held the reigning government, were strangers, and soldiers; united by no ties of Sympathy with the inhabitants, their duty was conquest, and their reward was plunder. Hence unavailing resistance, and more severe coercion; the riotous discontent of the half subdued, drawing on themselves the suspicious severity of the half established; and the subjugation of the former effecting, by degrees, the ultimate degradation of both. It would be disgusting and revolting to the mind, to wade through the sanguinary details of a continual warfare and intermittent massacre, every where the field of slaughter—no where the field of triumph. We will pass over the alternate ravages of Charles and Cromwell, to

the conclusion of the contest between James and William, when the warfare of the nations had ceased, and that of the government began; and when the Parliament of England first assumed over Ireland an authority as tyrannical as it was unjust.

From this period the ravages of internal warfare had ceased, and the historian of those times has little else to record than Parliamentary transactions; but unhappily, these are sometimes of such a nature, as, more permanently than war, to sink the nation in poverty and barbarism.

The revolution of 1688, opens to our view a new scene of Irish politics; and that æra, so auspicious for the liberties of England, produced in Ireland a more aggravated scene of oppression.—Then, more than ever, was it treated as a conquered nation; its independence violated—its national consequence and dignity debased—and a systematic, rigid, and uniform policy seems to have been acted upon, not only to trample upon the rights of individuals, but even to extinguish the very idea of an independent legislature.

In no sense whatever did the revolution of 1688 open to Ireland any of those constitutional blessings which were so gloriously asserted by England; and in no sense could that revolution be termed any thing else to the Irish than a mere conquest; a conquest of the harshest nature; for it was not followed up by

a participation of civil rights and liberties, but acted upon as a new ground for burdening them with additional grievances.

The supporters of the Whig interest in Ireland differed from those who forwarded the revolution in England, in principle, in action, and in views.—The Irish Whigs of that day were the relics of the Cromwelian party, avowing no other principle but that of retaining the monopoly and the power of the few over the bulk of the nation; acting upon them with arbitrary severity, in order to rivet the whole power of the Country in disgraceful and everlasting subjection.

Hence, however glorious the exertions of England in the cause of Freedom were, yet the unbiassed mind will arraign their motives, when it contemplates the English Parliament opposing that very liberty in Ireland, which they so resolutely and so successfully supported in England.

The articles of Limerick had scarcely received the great seal of England, when they were attempted to be violated, in defiance of the faith of nations, and in disregard to all those principles by which society should be governed.

Though Ireland, as an independent kingdom, claimed, under William, the same right it had enjoyed under his predecessors, yet did the Parliament of England usurp the right of legislating for Ireland, in as free and uncontrolled a manner, as if Ireland had no Parliament of her own. Thus, in the year 1691, before William had convened an Irish Parliament, the English Par-

liament passed an act, to alter the laws of Ireland, regarding the most essential fundamental rights of the subject, by excluding the Roman Catholics, who composed the decided majority of Ireland, from a seat in either House of Parliament. And when a pure Protestant Parliament was convened, in the year 1692, so little satisfied with it was the Parliament of England, that they continued their legislative encroachments on Ireland, by enacting whatever laws they thought proper, for regulating and settling the legal, civil, military, and ecclesiastical departments of Ireland, for checking their commerce, and disposing of their property.

Lord Sidney being created Lord Lieutenant, in 1692, immediately on his arrival in Ireland issued writs, and convened a new Parliament; the primary object of which was to raise supplies to discharge the debt contracted during the war. The Commons consented to a grant, not exceeding 70,000*l.* pleading the inability of the people, from the calamities of the late war, to increase the grant. There had been no Parliament in Ireland for the last twenty-six years; and although the Parliament of England had undertaken to legislate for Ireland, in the most important matters of State, it had not yet proceeded to the extent of raising money directly upon the people of Ireland. The Parliament which was now convened, after so long an interval, could not be insensible of the encroachment made on their independence; they felt their consequence, and manifested, by their

conduct, their just resentment of the usurpations of the English Legislature. They considered it to be their indispensable right to determine, in the first instance, the sum, and manner of raising every supply granted to the Crown;—and when, in violation of this privilege, two Money Bills, which had not originated with them, were transmitted from England, and laid before them, they, with becoming dignity, resented this encroachment on their privileges, by rejecting one of them, and declaring, “that, from the extreme urgency of the case, they alone consented to pass the other.” They, at the same time, entered some very pointed and spirited resolutions on their journals, in support of their rights.

His Excellency was highly enraged at these resolutions; and, in his speech, upon proroguing the Parliament, he severely reprimanded them for having, in opposition to the design of their meeting, undutifully and ungratefully invaded their Majesties’ prerogative. And when the Commons requested permission to send Commissioners to England, in order to lay a full and impartial statement of their conduct before their Majesties, he contemptuously and insultingly told them, “*That they might go to England to beg their Majesties’ pardon, for their seditious and riotous assemblies.*”

This unexpected and ungracious prorogation of the Parliament, created general discontent. Bills of importance, which had been prepared,



remained imperfected ;—and the several grievances complained of, remained unredressed.

At a subsequent meeting of Parliament, a bill, upon the principle of the English Bill of Rights, was introduced into the House of Lords. It proposed to enact, that the pretended power of dispensing with laws, or of executing laws, by regal authority, as assumed and exercised in the late reign, was illegal.—

That the election of members of Parliament ought to be free.—That the freedom of speech in Parliament, can only be impeached or questioned in Parliament.—That excessive bail ought not to be required, nor excessive fines imposed, nor cruel nor unnatural punishments inflicted.—

That jurors ought to be duly impannelled and returned ; and that jurors in trials for high treason, should be freeholders. This bill was, with some addition, agreed to by the Commons, and transmitted ; but, to the very great disgrace of Government, *not returned*.

As the Parliament continued to act on principles offensive to the Court, it was prorogued a second time, and then dissolved.

Lord Sidney having become an object of popular odium, was now recalled, and the Government vested in three Justices, Lord Capel, Sir Cecil Wyche, and Mr. Duncombe. Difference of principle, however, soon disunited the measures of their Government. Influenced by a strong desire of recommending himself to the favourable opinion of the English settlers,

Lord Capel attached himself to their interest, which he laboured to promote, even at the expense of equity. Sir Cecil and Mr. Duncombe interested themselves in behalf of the Irish. They protected them from oppression. Those who, from selfish views, attempted to infringe the articles of Limerick, they restrained by their authority.

Neither a desire of Court influence, nor a regard to the applause of the powerful, were the principles of their conduct;—they only wished to be distinguished by a wise and just administration. Seldom does Government approve and encourage in its servants such integrity of heart.—The conduct of Lord Cecil was adapted to the prejudices of the powerful;—his interest prevailed, to the removal of his two upright colleagues, and he was created sole Governor, under the title of Lord Deputy.

In a Parliament, convened by this Governor, the necessary supplies were granted;—the proceedings in King James's Parliament were reversed; though in violation of their legislative privileges, a law to the same purpose had been passed in England. The Act of Settlement was explained and confirmed;—the Articles of Limerick were also confirmed, but so modified, as to lessen the security to the persons concerned; and a few penal statutes were added, in addition to those which had been already enacted against Catholics.

It was, however, every day becoming more apparent that civil liberty could not make the

progress it did in England, and that Ireland should continue more than insensible to its blessings; and the Irish people were hourly becoming more reluctant to surrender and renounce those rights, which the English had so gloriously asserted for themselves.

Among the many who felt strongly the injury done to our civil rights, by the Parliament of England, Mr. Molyneux, one of the representatives for the city of Dublin, particularly distinguished himself by his patriotism and ability.

In his endeavours to promote the improvement of our manufactures, he found himself continually opposed by the spirit of British monopoly; and perceiving, that neither our manufactures, our commerce, or any exertion on which national prosperity depends, could succeed, so long as our natural and constitutional rights were opposed by the unjust interference of the British legislature;—determined to vindicate the cause of his country, and to diffuse throughout the nation a just sense of its constitutional rights, he, in 1698, published a book, styled, "*The Case of Ireland being bound by Acts of Parliament in England, stated;*" for the purpose of proving, from historical facts, *That the kingdom of Ireland was as independent of the kingdom of England, as the latter was of the former.*—This book was written in a strain of independent discussion and spirited assertion, to which Ireland had long been a stranger. It taught the people of Ireland to consider, more justly and more attentively, the nature of their

connection with England; and obtained for its author that applause, his patriotism and talents so well merited.

Very different were the opinions entertained by the English House of Commons;—they appointed a committee to examine the book, and on the report of this committee, the Commons unanimously resolved; “That the book published by Mr. Molyneux, was of dangerous tendency to the Crown and People of England, by denying the authority of the King and Parliament of England to bind the kingdom and people of Ireland; and the subordination and dependence Ireland had, and ought to have upon England.” They also, in a body, presented an Address to his Majesty, enlarging, in terms of great indignation, on the book, and its pernicious assertions; and beseeching him to take care that the laws *which directed and restrained the Parliament of Ireland*, should not be evaded. In answer to which, they received a promise from his Majesty, of his acting according to their wish.

The book was also burned by the hands of the common hangman, by order of Government.

The English Parliament continued to exercise over Ireland an authority as unjustifiable as it was oppressive; and our manufactures were almost in every instance sacrificed to the illiberal and selfish views of the English trader. In England, the woollen manufactur ehad become a staple commodity; with us likewise it was a profitable branch of commerce. Before the time of Charles I. we indraped our wool, and exported the overplus to foreign

markets. Of this privilege the English, jealous of a competition, endeavoured to deprive us by several acts of Parliament, more especially by one, enacted in the reign of Charles II. which was deeply marked by the most unjust severity. Previous to the publication of Molyneaux, the Irish Parliament had been required, by the King, to pass laws for the encouragement of the hempen and linen manufactures in this country, *and the discouragement of the woollen*, in consequence of representations made by English traders, who apprehended a competition of the Irish in the latter. The preference thus promised to the hempen and linen manufactures, so as exclusively to supply the English trade in fabrics of this kind, and *to amount to a compensation, for the loss of the woollen*, was not given for six years after; and in the mean time, the growing and manufacturing of hemp and flax was so favoured by Government in Scotland and England, that these countries became rivals in this branch of industry to Ireland, where the trade of Hemp entirely failed.—Thus was Ireland unjustly compelled to lay restrictions on a profitable branch of industry; cheated out of the promised compensation; and when even the most fostering indulgence to the Irish, for profiting by these materials, could never have compensated for the loss of their woollen manufacture.

Not contented with these restrictions, the English Parliament, in the year 1690, appointed a committee, to inquire into the state of the woollen manufactures in Ireland, who

reported, that as both wool and labour were cheaper in Ireland, than with them, we were enabled to undersell them in foreign markets; that this branch of business was increasing with us; and that they neither could nor would suffer the woollen manufactures of this country, to rise into competition with theirs. In consequence, they passed a law, prohibiting the exportation from Ireland of all cloths made of wool, or containing any mixture of it.—The prohibitory laws of this class, enacted in England, were accompanied with enforcements, as inconsistent with the political distinctness of Ireland, as with the free principles of the British constitution. By one act, the accused were liable to the penalties of confiscation and imprisonment; by another, to transportation.—By the former of these statutes, no acquittal, in Ireland, of any offence against it would be allowed, in bar or delay of any indictment or prosecution, within the kingdom of England.

Thus, a person, for using his liberty, as a freeman, in exporting any of these prohibited articles, might be tried in this country, and acquitted, under all the forms of law in Ireland, and yet might be still dragged to England, to be tried for the same offence, by a foreign jury, in a strange land, where he could not have his witnesses; far from his friends, and perhaps without money or resources.

The immediate effects of these prohibitory laws were poverty and distress to Ireland; in-

surmountable by the fertility of her soil, and the ingenuity of her inhabitants. Deprived of the means of subsistence at home, thousands of Irish manufactures emigrated to France, and other countries, and carried their industry and knowledge from the place of their nativity, which crushed their exertions, and waged an unnatural war against their prosperity, to improve and augment the manufactures of foreign lands.—Thus, the French were enabled not only to supply their own demands, but even to undersell the English, in the markets of other nations.—Thus, England suffered, in a tenfold proportion, for every injury she inflicted upon Ireland. By depriving that country of the resources of her industry, she deprived herself of the fruits, which would have ultimately reverted to her; and she banished a hardy, an intelligent, and industrious population, to swell the resources, and improve the manufactures of a powerful and rival nation.

The destruction of the woollen manufacture, was not the only evil Ireland sustained, from the unjust and illiberal prohibition of the English Legislature.—Among a variety of other restrictions, embargoes were frequently laid on the exportation of provisions, ruinous to agriculture, and other species of industry; and the spirit of monopoly had so completely pervaded England, that if the Parliament had been influenced, to the full extent, by the applications which were made to them, Ireland must have been in a great degree depopulated.

The spirit, respecting Ireland, which prevailed in England, appears, if possible, more strongly, from the following circumstance, than even from the particulars already adduced.

Two petitions were presented in 1698, by the people of Folkstone in Kent, and Aldborough in Suffolk, stating a grievance which they sustained from Ireland, "by the Irish catching Herrings, at Waterford and Wexford, and sending them to the Streights, thereby *forestalling and ruining Petitioners' markets.*"

The reign of Queen Anne, who succeeded on the death of William, in 1701, we find distinguished only by the complaints of national poverty, the violence of party spirit, and a rigorous augmentation of penal statutes against Catholics.—The Parliament convened, 1703, by the Duke of Ormond, after voting the necessary supplies, presented a representation to the Lord Lieutenant, to be delivered to Her Majesty; in which they complain, "that the constitution of the kingdom had been injured, and the lives, liberties, and estates of the people, had been called in question, in a manner unknown to their ancestors; that the current cash of the kingdom was not equal to the extraordinary expenses incurred. They then proceed to complain of the invasion of their constitutional rights by a foreign judicature; the corrupt and oppressive conduct of the trustees of the forfeited estates; and of the misery arising from the restrictions of commerce. That her subjects have felt deeply their loss of trade; that they could not earn their live-



lihood, or support their own manufactures; that their foreign commerce laboured under such restrictions, as to have become, in a great measure, unprofitable; and that the infrequent meeting of Parliament, was a principal cause of the national misfortunes.

To this representation Her Majesty returned the following cold reply: "The first part of it seems to relate to matters passed in Parliament; and the other part only consisting of things in general, Her Majesty can give no particular answer to at present, but will take it into her consideration."—The same Parliament, after having voted the necessary supplies, proceeded, with laudable spirit, to rectify several public abuses, particularly, to their distinguished honour, they abolished useless pensions, to the amount of 16,000*l.* a year.

This just punishment of the worthless, and attention to the interests of their country, is in the highest degree worthy of praise, but has unfortunately seldom been imitated.—How many scandalous prostitutes to the Government, who rise as their country descends, and whose merit is their profligacy, fatten and subsist on the labours of the worthy and industrious Mechanic!

An act was also passed, to settle the succession in the House of Hanover. In a Bill, *to prevent the further growth of Popery*, Roman Catholics were disqualified from voting at elections, and from serving as Members of Parliament; several other severities were enacted against them.

During the whole reign of Queen Anne, the penal laws were executed with unabating severity against the Roman Catholics—though no act of disloyalty, no design of disturbing the peace, could, with any reasonable foundation, be charged on the body of that people.

William, though educated in the principles of the Calvinists, a sect very adverse to the Church of Rome, and though the only momentous opposition to the establishment of his Government, in the British Islands, had arisen from the Irish Catholics, was too liberal, had his Parliament been equally enlightened, to have treated with intolerance his Catholic subjects, but would ultimately have sunk the asperities of sectarian prejudices in the ample field of Christian benevolence and toleration.

As the kindness, the wisdom, the justice, and the humanity of King William, had attached them to Government—so did the opposite conduct which was pursued, when this enlightened Prince was scarcely laid in his grave, alienate their affections from Government, and their Country; they ceased to cultivate their farms, and converted them to grazing.—Industry drooped, and multitudes of the inhabitants emigrated from every quarter—and sought elsewhere for the means of subsistence.—It is painful to the feelings of every liberal mind, to enumerate the many acts of oppression, passed in this reign; which reduced the Roman Catholics to the lowest state of depression—which every sentiment of benevolence loudly condemns,

and which no argument of policy, or of reason, can justify—while those very laws, which seemed intended to eradicate Popery from the land—tended only to fix it deeper, by strengthening and confirming the people in their opinions ; and their immediate effects were hatred to the ruling party, and debasement of the intellect.

Humanity must shudder, to read the disgusting detail of oppressive laws, enacted at this period against this unhappy people ; and it would be now unnecessary to particularize the articles of the penal code, by which their religion was restricted, by a variety of new and aggravating oppressions—by which the public faith, solemnly plighted to them, by the articles of Limerick, was violated, and by which, for the greater part of a century, they were reduced to a political blank, and by which, if the private generosity of Protestants had not frustrated their execution—they would have been degraded still more, to a condition hardly conceivable.

The very conduct of the Catholics themselves, is a proof of the injustice and cruelty of these restrictions.—The resistance of so much provocation to rebellion, as those laws furnished, is a marked test of the steady loyalty and peaceable demeanour of the Irish Catholics, from the revolution to the accession of his present Majesty, under whom they had the happiness of being considered as no longer enemies.

In the year 1719, the injuries of this country were aggravated, in a degree quite intolerable to the feelings of freemen.—And the trans-

actions of that memorable period have affixed a stain on the justice and character of the English Legislature. A cause relative to an estate between Esther Sherlock and Maurice Annesly, was tried before the Court of Exchequer in Ireland. The latter obtained a decree, which, upon appeal, was reversed by the Lords.—From this sentence Annesly appealed to the *English Peers*, who confirmed the judgment given in his favour by the Court of Exchequer, and issued an order to put him in possession of the disputed estate. Against this illegal determination Sherlock petitioned the *Irish House of Lords*. In this affair, involving so deeply the dignity of the Peers, and the privileges of the Nation—the House of Lords proceeded with becoming prudence and dignity.—Having first sanctioned themselves by the opinion of the Judges, they resolved, that they would support their honour, jurisdiction, and privileges, by giving the petitioner Esther Sherlock effectual relief, pursuant to a former order.

A petition was some time after presented to the House, by Alexander Burrows, Sheriff of Kildare, setting forth “That his predecessor in office had put Sherlock in possession of the premises; that upon his entering into office, an injunction, agreeable to the order of the English Peers, issued from the Exchequer, requiring him to restore Maurice Annesly to the possession of the above lands; and that not daring to act in contradiction to the order of the House, he was fined; in consequence of this, being afraid he should be taken into cus-

tody, he durst not come to pass his accounts; and for this was fined 12,000*l*."—By the resolutions of the Lords, his conduct was approved, his fines annulled, and the Barons of the Exchequer were ordered to be taken into custody; and in vindication of these measures, and of the rights of the nation, they drew up a memorial, to be presented to His Majesty.—In this excellent paper, they represented that the kings and principal men of Ireland, having voluntarily submitted to Henry II. as their liege lord, obtained, at their request, from him the benefit of English law, with many other privileges, particularly that of having a distinct Parliament; and that in consequence of this concession, the English had been encouraged to come over and settle in Ireland, where they were to enjoy the same privileges as in England.—That though the imperial Crown of this realm was annexed to that of Great Britain, yet being a distinct dominion, none could determine with respect to the affairs of it, but such as were authorized, by its known laws and customs, or the express consent of the King—that it was an innovation of his Majesty's prerogative, and a grievance to his Irish subjects, for any court of judicature to declare, that in appealing to his Majesty's Parliament here, they did not bring their cause before a competent judicature.—They then state the pernicious consequences of this usurped jurisdiction of the British Peers with spirit and perspicuity; and in conclusion, they inform his Majesty, that to prevent Esther Sher-

look from making further application to the Irish Parliament, his deputy receiver had paid her the sum of above eighteen hundred pounds, the repayment of which money was expected from Government :—

That these proceedings of the English Lords had greatly embarrassed his Parliament of Ireland; disgusted the generality of his loyal subjects; and must of necessity expose all Sheriffs and officers of Justice to the greatest hardships, by this interference of different jurisdictions; they therefore hope, his Majesty will justify the steps they have taken, for supporting his prerogative, and the just rights and liberties of themselves and their fellow subjects.

The representation, and proceedings of the House of Lords in Ireland, concerning appeals, being transmitted to his Majesty, pursuant to an address for that purpose, were laid before the British House of Lords; who, instead of departing from the line of conduct they had adopted with respect to this Country—the injustice of which was here placed in a clear and striking light, they resolved, that the Barons of the Irish Exchequer had acted according to law, and with fidelity to the Crown of England; and they also supplicated His Majesty to confer on them some mark of his Royal favour, to compensate for the unjust censure and imprisonment they sustained.

Having thus far interposed in favour of these apostates from virtue and the cause of their country, the English Peers enacted a Bill, “for the *better securing the dependancy of Ireland on the Crown*

*of Great Britain,"* which also passed the Commons, by a large majority, and was confirmed into a law, by the Royal assent.

Every Irishman should be acquainted with all the parts of this chain, passed to annihilate the privileges of our constitution.—It was as follows :—  
 “ Whereas attempts have been lately made to shake off the subjection of Ireland upon the Imperial Crown of this realm—which will be of dangerous consequences to Great Britain and Ireland: And whereas the Lords of Ireland, in order thereto, have of late, against law, assumed to themselves a power and jurisdiction to examine, correct, and amend, the judgment and decrees of the Courts of Justice, in the kingdom of Ireland; therefore, for the better securing of the dependancy of Ireland upon the Crown of Great Britain, may it please your Majesty, that it may be enacted, and it is hereby declared and enacted, by the king’s most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, that the said kingdom of Ireland hath been, and of right ought to be, subordinate unto and dependant upon the Imperial Crown of Great Britain, as being inseparably annexed and united thereunto; and that the King’s Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons of Great Britain, in Parliament assembled, hath had of right, and ought to have full power and authority to make laws, and statutes, of

sufficient force and validity, to bind the people and the kingdom of Ireland.

“And be it farther enacted, and declared, by the authority aforesaid, that the House of Lords of Ireland have not, nor of right ought to have, any jurisdiction, to judge, affirm, or reverse any judgment, sentence, or decree, given or made in any court within the same kingdom; and that all proceedings before the said House of Lords, upon any such judgment, sentence, or decree, are, and are hereby declared to be utterly null and void, to all intents and purposes whatever.”

Thus did the British Parliament, by this extraordinary statute, attempt to cast a veil over the iniquity of its former usurpations, to sanctify injustice, and to rob of their constitutional privileges, under the claim of a pretended right, three millions of freemen?

Notwithstanding the degraded state of subjection to which the Irish Parliament were reduced, such a spirit of opposition was raised among the people, in 1724, against a measure favoured by the ruling party, that the British cabinet thought it prudent to relinquish the business. Until then, from the encroaching act of the British Parliament, few matters worth notice occurred.—Precluded from the benefits of industry, by restricting laws, the people were so miserably poor, that the famous Jonathan Swift, Dean of Saint Patrick's, a real lover of his country, declared, that he “rejoiced at a mortality as a blessing to individuals and the public.” The same system of administration which



had been adopted in the reign of William, continued through this period, and long after it.—The Catholics were reduced to a political non-existence by the Irish Parliament, and the Irish nation to a very low state of permanent weakness by the Parliament of Britain.—The Viceroy, nominally vested with the executive government, came commonly for a short time, once in two years, leaving the real power to Lords Justices, who were principally occupied in consolidating an aristocratic influence for effectuating the plans of the British Cabinet. As in the councils by which Ireland was governed, its prosperity was manifestly no object, a number of men, real friends to their country's welfare, formed a party, called the *patriots*, to oppose the ministry. The soul of this party was Swift, whose writings excited in many of his countrymen a sense of their situation and true interests; the first success of which, was the defeating of a job favoured by the ministry.

To remedy the inconvenience arising from the scarcity of copper money in Ireland, *instead of a coinage from the royal mint, which had been repeatedly solicited*, a royal patent was granted to William Wood, an Englishman, for the coinage of halfpence and farthings, to the value of 108,000*l.* for circulation in this kingdom.—Such an indignity would probably have been submitted to, had he executed his trust with fidelity; but it seemed the intention of this man to consult merely his own emolument.—He made his halfpence of such base metal, and so small, that a shilling of them was scarcely

worth a penny. Of these large quantities were sent over ;—brass money multiplied beyond all proportion ; it was not only used in change, but accounts in general were likely to be paid in it. Wood might pour clandestinely into the kingdom a greater quantity than his patent authorized ; foreigners might counterfeit the stamp, and swell the inundation of base metal ; and when this medium should inevitably sink in exchange to its real value, the entire loss must fall upon the people of Ireland.

The spirit of the nation was at length roused at the iniquity of the job ; and men of all ranks laboured with united efforts to remedy an evil which already began to be sensibly felt.

Addresses to His Majesty against the patent were voted by the Irish Parliament ; he was likewise addressed, on the same subject, by most of the city corporations.—The Grand Jury of the County of Dublin presented, as enemies to Government, all those who should attempt to put this base coin into circulation.—At Quarter Session the country gentlemen declared against it, almost unanimously—nor was it surprising, that an attempt to serve an individual, a foreigner, a man destitute of principle, to the ruin of thousands and the injury of the community, should excite general indignation.

Wood, instead of relinquishing a scheme, the baseness of which appeared in a glaring point of view, used every means to support it. By the influence of his friends, the English Privy Council published a report, in approbation of the coin, and

severe condemnation of the Irish Parliament's address. After the minds of the people had been agitated a year by this disagreeable affair, the King, by the advice of the Irish Privy Council, revoked the patent, and thus allayed the general discontent.

Of those who opposed the iniquitous imposition of Wood's base money, Dean Swift was particularly distinguished; his *Drapier's Letters*, in which, with so much knowledge of the subject, with so much force and perspicuity, he pointed out the nature and consequences of this pernicious design, were of singular use; and his country still gratefully remembers this noble effort of his patriotism. He was, however, in danger of suffering deeply in the cause; for in these days of servitude, Irishmen had not even the privilege to complain. For the author of the *Drapier's Letters*, Government offered a reward of 300*l.*; however, not an individual could be found so base as to prostitute his conscience, and to dishonour his country, for the sake of this inglorious bribe. He remained undiscovered; the printer was then prosecuted; here likewise, the tyranny of Government was disappointed of its aim, he was acquitted by the unanimous opinion of the jury.

The statutes and Parliamentary acts, which took place a short time previous to those transactions, show the principle on which the Irish Government conducted themselves towards the people, in return for their unshaken loyalty to the House of Brunswick. In 1710 the Parliament passed an act, for exempting the *Pro-*

*testant* dissenters from certain penalties, to which they were (in common with the Catholics) subject, "in order, as the preamble says, to unite his Majesty's *Protestant* subjects in interest and affection;"—Thus, were the Catholics unjustly excluded from this bond of mutual affection and interest.—The Duke of Bolton, then Lord Lieutenant, when closing the session, recommended "*an union in interest and affection among ALL his Majesty's subjects.*"—Unfortunately for the Catholics, the words of the statute were operative and lasting; those of the Lord Lieutenant, insidious, false and transient.

The same Lord Lieutenant, in opening the session, in 1723, recommended Parliament, though no shadow of disloyalty could be affixed to the Catholics, "to strengthen the Protestant religion, by providing laws, and enforcing those in existence against Popish priests being in the kingdom." Removed as we now fortunately are out of that medium of bigotry, and fanaticism, which distorted the views of those who moved in it, it appears difficult to believe that the Commons, in 1723, amongst other cruel and oppressive acts, could, in a bill to prevent the further growth of Popery, unanimously adopt a clause, for castrating every Catholic clergyman that should be found in the realm!—This bill was presented to the Lord Lieutenant, on the 15th of November, 1723, and the Commons most earnestly requested his Grace, *to recommend the same in the most effectual manner to His Majesty.*—

It was transmitted to England, and, for the honour of humanity, there suppressed with becoming indignation.\*—The Lord Lieutenant, on proroguing the Parliament, consoled them for the loss of their favourite bill; recommended a more vigorous execution of the penal laws against the Catholics; and promised them that he would contribute his part towards the prevention of the growing evil—Popery.

Lord Cartaret, who convened the Parliament in 1725, retained the Viceroyalty till 1731, but the chief manager of the Irish Government, from 1724, was Boulter, the Primate of Ireland, whose primary object it appears, from the publication of his letters, was to maintain the ascendancy of an *English interest*, with little or no regard to the welfare of the country governed.—A line of distinction was drawn betwixt the English and the Irish interest, and all the arts of political intrigue were made use of to support the former, in opposition to the latter.—The most assiduous care was taken to fill all the great offices of state with Englishmen; lest if they were occupied by those of this country, opposition to the measures of Ministry should be made in favour of our privileges.

The high dignity, and large emoluments, which Boulter enjoyed in Ireland, might have interested him in its honour and prosperity.—Instead of this, influenced by the prejudices he brought over with him from England, and

\* Some historians attribute the failure of the Bill to the humane interference of Cardinal Fleury with Mr. Walpole.

by the principles of a complete courtier, he entered into and supported, with warmth, the views of Government, most prejudicial to it—yet in private life he was most amiably distinguished by his benevolence, generosity, and many acts of charity and compassion; while, as a Minister, he paid little regard to the rights of the nation.

In the Administration of the Duke of Dorset, who succeeded Lord Cartaret in 1731, the strength of the *patriots* appears to have been increasing, as a question of considerable importance was determined in favour of the people.

When, in the year 1715, apprehensions were entertained of a design upon the kingdom having been formed by the friends of the Pretender, the House of Commons passed a vote of credit to Government to a considerable amount. This laid the foundation of our national debt, which in a few years increased to upwards of 200,000*l.*; for the payment of the principal, as well as the interest of this debt, supplies were voted, session from session, by the Commons.

During the late Administration, the friends of Government moved in the House, that this fund should be granted to His Majesty, his heirs, and successors, for ever, redeemable by Parliament.

The patriots insisted, and carried their point, that it was unconstitutional, and inconsistent with the public safety, to grant it for a longer term than from session to session.

An attempt was now made to vest it in the

Crown for twenty-one years. When the affair came to be agitated, the strength of the Ministerialists and Country party was exactly equal; but immediately previous to the vote, Colonel Tottenham, who had ridden post on the occasion, arrived barely in time to determine, by his vote, the question against Government.—His zeal on this occasion for the public good was long remembered with gratitude; and from the then novelty of coming to Parliament in boots, which he was compelled to do by the urgency of the question, “Tottenham in boots,” became a favourite toast.

Several years subsequent to the administration of the Duke of Dorset, afford nothing worthy of notice in the history of this Country.—In 1754, Lord Chesterfield was, contrary to the real inclination of the Monarch, whose favourite errors in politics he had opposed, appointed Lord Lieutenant at a dangerous juncture, when in the midst of an unsuccessful war against France and Spain, an alarming rebellion had been raised in Scotland, in favour of Charles Edward Stuart, son of the Pretender.—The administration of this highly polished, liberal, and enlightened Nobleman, was a kind of phenomenon in Irish history.

Vested with ample powers, he acted from his own judgment, uninfluenced by the councils of those who, to prevent an imaginary, might have excited a real rebellion, by violent measures against Catholics, the bulk of the nation.—He discountenanced all party distinction; he

extended the full protection of the laws to Catholics, and displayed full confidence in their peaceable demeanour.

Before his arrival, those in power had shut up their chapels in Dublin; their priests were commanded by proclamation to leave the kingdom.—Such as disobeyed were cast into prison, and threatened with greater punishment. These severities were offensive to Lord Chesterfield—his system of policy was not founded in partial views of human nature, or in those contracted sentiments suggested by religious bigotry.—It received no tincture from the violence of a party spirit, by which the judgment is perverted, and restraints are imposed on the kind impulses of humanity. Convinced that harsh treatment alienates the heart, but that gentle usage inspires confidence and gains the affections, he permitted to the Roman Catholics the free undisturbed exercise of their religion, knowing that the Irish, above all people, are to be gained by confidence, kindness, and liberality. The accusations that prejudice brought against them, the rumours of plots and insurrections designed by them, he listened to with calm indifference, or treated with ridicule.—All parties ultimately concurred in admiring the wisdom and public virtues of this excellent Viceroy, and cheerfully contributed their efforts to render his Government easy and agreeable. In parliament, business went smoothly forwards; resting the support of his administration on its rectitude, he abstained from the



pernicious custom of gaining partizans by reversionary grants. The supply asked by him was moderate, collected with ease, and managed with œconomy; and the surplus which remained was applied to the improvement of Cork harbour.—Instead of raising new regiments, or demanding troops from Britain, he sent four battalions to reinforce the royal army in Scotland; supplying their place with additional companies to the regiments already on the establishment, and encouraging volunteer associations for defence; without augmenting the public expenditure, the influence of the Crown, his own patronage, or his private emolument.—The wisdom of his administration was verified by the result; no external enemy disturbed the public peace, a profound tranquillity reigned in Ireland, not a man espoused the Pretender's cause, while in Scotland thousands were in arms under his banners, and for a time seemed to threaten the overthrow of the Protestant establishment in England.

The boon to Ireland of such a governor, as it had been extorted from the British Cabinet, by the necessity of circumstances, was recalled as soon as that necessity ceased; nine days after the celebrated battle of Culloden, the amiable Stanhope departed from this kingdom, followed by the regret, the prayers, and good wishes of a crowd of attending and sorrowful spectators; to perpetuate his virtues and the gratitude of the nation, his bust was placed in the castle of Dublin, at the public expense.

Under Lord Chesterfield's government, the contest between English and Irish interest happily lay dormant; but after these halcyon days, it revived in full force; the chief management of the former devolved from Primate Boulter to Primate Hoadly, and from him, in 1747, to his successor George Stone, promoted from the see of Derry; haughty, determined, and devoted to his party, this prelate scrupled at no means for the accomplishment of his purpose; and regardless of his pastoral duties, and solely intent on politics, he sacrificed religion and morality to the confirming and gaining of adherents. His chief opponent, as leader of the patriots, was Henry Boyle, the Speaker of the Commons, afterwards Earl of Shannon.

About this period, a political question was started in Ireland, and carried with extraordinary virulence by the contending parties, and which called forth into public view a character conspicuously and eminently distinguished. To increase the influence of the Crown, innovations were made in the charter of the city of Dublin, in the reign of Charles the Second, by depriving the Commons of the power of choosing the city magistrates, and placing it in the Board of Aldermen; subject in its exercise, upon each election, to the approbation of the Chief Governor and Privy Council. Charles Lucas, an apothecary, anxious for the rights of the citizens, into whose Common Council he was admitted, proceeded to inquire whether other encroachments had not been made on the rights of his fellow

citizens, and which had not the sanction of a law to justify them.—Having satisfied himself, by diligently searching their ancient records, that his apprehensions were well founded, he published his discoveries; the consequence of which was a violent contest between the Commons and Aldermen, and the former struggled in vain to regain their lost privileges. The exertions of Lucas, in every stage of the business, rendered him so respectable among his fellow citizens, that, on the death of Sir James Sommerville, he was encouraged to declare himself a candidate for a seat in Parliament; and particularly distinguished himself, not only by the boldness of his speeches, but still more so, by a number of addresses to his countrymen; in some of these he particularly considered the several branches of the Constitution, and pointed out the encroachments of the British legislature; Government, alarmed at his boldness, determined to crush him; and the most obnoxious passages were selected from his writings, and made the subject of Parliamentary inquiry.—The Commons voted him an enemy to his country, and addressed the Lord Lieutenant for an order to prosecute him, by the Attorney-general. The universal esteem in which he was held could not screen him from ministerial vengeance; he was driven from Ireland; but having spent some years in banishment, he returned to his country on the death of the late King, and offered himself as a candidate for the city of Dublin; being again elected, he continued to distinguish himself by the same virtuous principles, for which he had been from

the beginning so remarkable; and died with the character he had preserved through life, of the *incorruptible* Lucas.

In the year 1753, a memorable contest took place between Government and the Irish Parliament, relative to *previous consent*. As the representatives of the people impose the taxes requisite for defraying the expenses of the State, they considered it their right to superintend the expenditure; in order, if there should be a deficiency, to supply it; if a surplus, to place it to the credit of the nation, and apply it, by bill, for the public advantage. This they did, not as a matter of favour or of courtesy, but by an authority, which they had hitherto exercised without any impediment, and which necessarily and plainly resulted from the trust reposed in them. In this year a considerable sum, after the demands of Government were answered, remained in the treasury, and the Commons framed a bill, in the usual manner, for applying a competent part towards the payment of the notional debt. The Duke of Dorset, then Lord Lieutenant, told the Parliament, that his Majesty "*consented*, and recommended to them to apply it to the reduction of the national debt." As this implied a right inherent in His Majesty to dispose of the money as he thought proper, the proposal was accounted an invasion of the privileges of the House of Commons; no notice was taken of the direction given by Dorset, but the bill was sent over to England as usual, without any notice taken of His Majesty's consent: there, however, this very material alteration

was made, and the word *consent* introduced into it. The Commons at this time did not oppose so essential an alteration ; but next year, on its being repeated, the bill was rejected. Government was now at the utmost pains to defend the measure they had adopted ; and the press teemed with their pamphlets in justification of what they had done ; the controversy, however, was terminated by His Majesty, by his letters patent, taking the money which had been the subject of dispute out of the treasury.

To increase the discontent, occasioned by withdrawing the public money from Ireland, the favourites of the popular cause who held places under Government, were shortly displaced, and the Primate was urgent with the Lord Lieutenant to carry the plan to a more extensive execution ; the patriots or oppositionists were studiously represented to the King as a Jacobite and Popish party, aiming at the expulsion of His Majesty from the throne. To counteract such proceedings, the Earl of Kildare presented a memorial to His Majesty, stating the distressed and embarrassed situation of the country ; that the face of the loyal kingdom of Ireland wore discontent, “ not coloured from caprice or faction, but purely founded on ministerial misapplication.” This strong though necessary measure gave great offence to the Ministry ; but the good of his country was at once its motive and justification, nor did it ultimately lose its effect upon the King ; the popular clamour was at length so loud, that the Viceroy became alarmed for his personal

security, and retired from the kingdom, as if he were making his escape.

The Marquis of Huntington was created Lord Lieutenant in 1755—Primate Stone was removed from the Privy Council, by order of the King—Boyle, the great leader of the opposition, was created Earl of Shannon, with a pension of 2000*l.* a year; and John Ponsonby was appointed Speaker in his room; and several others of the patriot party were appointed to lucrative employments, and most of those who were displaced for favouring the popular cause, were with honour reinstated.—Loud as was the cry of patriotism, firm as was the stand made by the patriots of 1753, against the encroachments of an English interest, yet lamentable is it to reflect, that when the boasted purity of those patriots was called into action by their appointments, the majority of them became as recreant from the cause of civil freedom and legislative independence, as the most venal prostitutes to systematic corruption.—Their unwillingness to promote the real independence of their country, appears from the rejection of a Bill brought into the House in 1756, to secure the freedom of parliament, by vacating the seats of such members as should accept any pension or civil office of profit from the Crown.—A spirit more patriotic appeared in another question; on the report of the committee appointed to inspect the public accounts in 1757, resolutions were voted in disapprobation of pensions improperly granted on the civil establishment, the amount of which exceeded 40,000*l.* annually, of which a consider-

able part was given to persons not residing in Ireland. The Commons also with their Speaker waited on the Lord Lieutenant, the Duke of Bedford, with a request that he would lay their resolutions before the King; and received for answer, that "the matters contained in these resolutions were of such a nature, that he could not suddenly determine whether the transmitting them to his Majesty would be proper." An adjournment and consequent suspension of public business, till satisfactory answer should be given by the Viceroy, was carried by the popular party; who, after a warm debate, outvoted the courtiers by twenty-one voices. On this determination of the controversy, which was virtually a question whether the great representative body of the nation should be deprived of access to the Throne, by ministerial influence, the Lord Lieutenant sent a message to the House, that its resolutions should be immediately forwarded to the king.—It is but justice to the Duke of Bedford to state, that he was the first Chief Governor who ventured to profess a favourable opinion of the Roman Catholics. Under his government, did the first dawn of toleration break in upon that suffering people, and to his administration must be allowed the merit of having first restored animation to the members of that paralyzed body, which has since acquired such health, vigour, and strength of constitution, under the benign reign of his present Majesty.

Ireland, which for a period of nearly seventy years had enjoyed uninterrupted peace, suffered;

in 1760, an inconsiderable invasion from a foreign enemy. The plan of invasion, arranged by France, was formidable, both from the greatness of the armament and from the ability with which it was concerted;—adverse winds, and the ability of Sir Edward Hawke, seconded by the bravery of the fleet under his command, frustrated these designs; the little squadron of Thurot alone reached the Irish coast, but its condition was feeble and its fortune disastrous.

The early part of the reign of George III. was disturbed by the risings of several tumultuous mobs, who, under the appellation of White-boys, Oak-boys, and Hearts of Steel, riotously resorted to arms, to free themselves from the misery of oppression and poverty under which they laboured.—The attention of Government was more occupied in quelling the disturbances than in removing the causes which occasioned them; the army soon subdued them—the executioner performed his duty, and the country was restored to tranquillity; but as no efforts were taken to ameliorate the condition of the people, their continual distresses drove thousands of them to seek a better fortune in America.

During the administration of Lord Townsend, in 1768, a very material alteration took place in the duration of Parliament, which tended very considerably to promote the independence of Ireland.—At this period a bill was prepared, and sent over to England, by which it was enacted, that the Irish Parliaments thenceforth should be held every seven years, and it was returned with the addition of one year, and from that period



the Parliaments of this country were octennial; previous to this, the duration of Parliament depended on the will of the Sovereign; thus, from the moment of their election, the members became independent of the people, and under the refined improvements of Sir Robert Walpole, in the management of Parliamentary interest, the seduction became too powerful for most men, when they were at liberty to treat for life.—The patriots anticipated the cure of venality in the frequency of their Parliaments, and the people hailed the welcome return of their power and controul over their representatives. The affairs of Ireland now began to draw towards that crisis, which ultimately effected the revolution in favour of the liberties of the people.

In 1778, the difficulties under which the whole nation laboured, began to be so severely felt, that an address on the subject was presented by the Commons to Lord Harcourt, then Governor of Ireland; in this they told him, that they hoped he would lay before the King the state of Ireland, restricted in its commerce, from the short-sighted policy of former times, to the great injury of the kingdom and the advantage of the rivals, if not the enemies, of Great Britain. This representation to the Lord Lieutenant produced no effect, and Ireland for some years longer continued to groan under the burden of intolerable restrictions; these had principally taken place in the reign of Charles II. At this time it was enacted, that beef or live cattle should not be exported to England; neither were the commodities of Ireland to be

exported to the American colonies, nor American goods to be imported to any port in Ireland, without first unloading them in some port of England or Wales;—all trade with Asia was excluded, by charters granted to particular companies; and restrictions were imposed upon almost every valuable article of commerce sent to the different ports of Europe. Towards the end of King William's reign, an absolute prohibition was laid on the exportation of Irish wool; other restrictions conspired to augment the national calamity, but that which was most sensibly felt, took place in 1776. There had hitherto been exported annually to America, large quantities of Irish linens; this very considerable source of national advantage was now shut up, under the pretence of rendering it more difficult for the enemy to be supplied with the means of subsistence, but in reality to enable a few rapacious English contractors to fulfil their engagements. An embargo was laid upon the exportation of provisions from Ireland, by an unconstitutional stretch of prerogative; remittances to England, on various accounts, particularly for the payment of our forces abroad, were more than usually considerable.—These immediate causes being combined with those which were invariable and permanent, produced in this country very calamitous effects; black cattle fell very considerably, and yet customers could not be had;—the price of wool was reduced in a still greater proportion; rents every where fell; in many places it was not possible to collect them.—An universal stagna-

tion of business ensued—credit was very materially injured—numbers of manufacturers were reduced to extreme poverty, and would have perished were they not supported by public charity;—farmers were pressed by extreme necessity, and many of them failed; and people of every rank and condition were deeply affected by the calamity of the times. Almost every branch of the revenue had failed.

The attention of England was at length called to this deplorable situation of affairs; and Earl Nugent, in the year 1778, undertook the cause of the Irish, by moving in Parliament that their affairs should be taken into consideration, by a committee of the whole House; his motion being agreed to almost unanimously, it was followed by several others, and bills for the relief of Ireland were framed accordingly. The trading and manufacturing towns of England now took the alarm, and petitions against any indulgence to the Irish were brought forward from many different quarters, and members instructed to oppose it; in consequence, a warm contest took place on the second reading of the bills; and as the Minister seemed to favour them, they were committed, though the violent opposition to them still continued, which induced many of their friends, at that time, to desert their cause.

Though the efforts of those who favoured the cause of Ireland, proved unsuccessful for the present, they renewed their endeavours before the Christmas vacation.—They now urged, that independent of all claims from justice and

humanity, the relief of Ireland was enforced by necessity;—the trade with British America was lost for ever, and it was indispensably requisite to unite the remaining parts of the empire in one common interest and affection.—Ireland had hitherto been passive; but there was danger, that by driving her to extremities, she would cast off the yoke altogether; or even if this should not happen, the tyranny of Britain would be of little advantage, as on the event of a peace, the people would desert a country in which they experienced such oppression, and emigrate to America, were they had a greater prospect of liberty; on the other hand, they insisted that very considerable advantages must ensue to Britain by the emancipation of Ireland; and every benefit extended to that country would be returned with accumulated interest.—The business was at last summed up, in a motion made by Lord Newhaven, in Feb. 1779, that liberty should be granted to the Irish, to import sugars from the West Indies; this was carried, but the merchants of Glasgow and Manchester having petitioned against it, it was again lost, through the interference of the Minister, who now exerted his influence against the relief he had formerly declared in favour of; various other efforts were made to effect the intended purpose, but nothing more could be obtained except a few trifling concessions, and a promise from Lord Gower that during the recess some plan should be matured, for accommodating the affairs of Ireland, to the satisfaction of all parties.

The face of Ireland was daily assuming a more awful and critical aspect. So long as the affairs of the country were under the consideration of the British Parliament, the feelings of the Irish nation were satisfied by the hopes of relief; but when they found themselves deserted by the Minister, their discontent was inflamed beyond measure.—The few laws he had passed in their favour they considered mockery, not relief; and encouraged by the military associations, which had taken place some time before, they resolved to take such measures as would effectually convince the Minister, that they would no longer suffer themselves to be deprived of their just and natural rights. With this view, associations against the importation of British commodities were daily becoming more general; in consequence of which, the Irish manufactures began to revive, and the demand for British goods in a great measure decreased.—Mr. Grattan, who had entered the Irish Parliament some time before, under the auspices of Lord Charlemont, contributed in a powerful degree to direct and animate the people in the assertion of those rights of which they had been so unjustly deprived.—With a mind formed to embrace something beyond present objects, accustomed to trace effects to their causes, and to look forward to future consequences, he perceived that the root of those calamities which his country suffered, was not caused by a temporary stagnation of trade, but was occasioned by the unjust restraints imposed by Great Britain on the industry of Ireland; and that to attempt their cure by the

petty and temporary expedients which the nation, and even the Parliament, seemed content with adopting, would be to roll up the stone of Sisyphus.

He was the first, therefore, who had the boldness and the wisdom to urge the Legislature to complain of these restraints; his efforts were seconded by the unanimous voice of the country; and such was the efficacy of a political truth thus urged, and thus supported, that even the whole force of British influence was found unable to resist it.—The Irish Parliament adopted and decreed the sentiment, “that it is not by temporary expedients, but by a free trade alone, that this nation is now to be saved from impending ruin;”—and after some hesitation on the part of the British Legislature, the commerce of Ireland was, in part, opened to her children; a temporary gleam of satisfaction was shed over the country, by this *concession*, as it was called; on the part of England; for so accustomed had the people been to exclusion, to penalties, and restrictions, that a relaxation or suspension of any of these, was looked on as the conferring of a positive benefit, rather than the cessation of an actual injury.

Not only was Ireland at this time associated in arms, but it was also united in principle; and the diffusion of bold, liberal, and enlightened sentiments became every day more extended:—The people now became conscious of their own strength; and the idea was re-echoed from all sides, that a free trade could be of little use, if held by a precarious tenure. The repeal of the obnoxious laws was re-

presented as an act of necessity not of choice ; that when that necessity no longer existed, the British Parliament might recall the benefits it had granted, and again fetter the Irish trade, by restrictions perhaps even more oppressive than before ; and that to secure the advantages of a free trade, it was necessary that the kingdom should enjoy the protection of a free constitution ; for this the people looked up to the Volunteer companies ; and the idea of having such a glorious object in their power, augmented their numbers ; and many who had formerly scrupled to connect themselves with this body, now pressed forward to enter their lists. Hitherto these bodies having acted only in detached companies, knew not their own strength ; they found it necessary for their grand object, to form themselves into regular battalions, and establish a system of communication with each other ; long had the original cause of the volunteers arming in self defence, against a foreign enemy, been sunk into the more interesting object of asserting their constitutional rights, and procuring liberty for their country.

In the beginning of the year 1780, they entered upon the plan of general organization ; they appointed reviews for the ensuing summer ; they clad and armed themselves voluntarily ; they cheerfully learned the use of arms, and freely submitted to the most exemplary discipline ; they chose their exercising officers, and reviewing generals ; and thus the foundation of Irish union was laid. They now openly declared

their opinion on the state of public affairs; and the news-papers teemed with resolutions of the different corps, all in unison, declaring, that Ireland was an independent kingdom, and fully entitled to all the uncontrolled rights, privileges, and immunities of a free constitution;—that no power on earth, but the King, Lords, and Commons of Ireland, could make laws to bind them;—that they were ready, with their lives and fortunes, to resist the usurpation and encroachments of any foreign legislature;—and that they were determined not to lay down their arms, till they had accomplished the complete liberation of their country, from the sovereignty of the British Parliament.

So crying were the distresses of Ireland at this period—so impotent was Government to relieve them, that the most important change of disposition, sentiment, and action in the people took place, under the eye, in defiance, and with the acquiescence of Government. By the melancholy consequences of the American war, our fleets had become inferior to the combined forces of the enemy; the English coasts were insulted—those of Ireland left wholly unprotected;—the military establishments had been so drained, to recruit the regiments in America, that there were not 5000 forces in the kingdom to defend the sea-ports even from the crews of single vessels; and when the town of Belfast, which had been visited eighteen years before by invasion, applied to Government in 1788 for support against the common enemy that threatened again to invade them, the Secretary replied,



*"Government could afford none!"*—Thus Government, with respect to national defence, was abdicated; and the people at large perceived that they alone were to rescue their country from the approaching destruction which seemed to threaten her;—their spirit soon supplied the defects and imbecility of Administration; they instantly armed themselves—every city poured forth its armed citizens—every day beheld the volunteer institution expand, and a noble ardour was every where diffused;—the spirit-stirring drum was heard through every province, not "to frighten the isle from its propriety," but to animate its inhabitants to the most sacred of all duties—the defence of their liberties and their country.

Government beheld, with unavailing regret, the effects of its own immediate work; to disunite the volunteers was beyond their power, though it was the secret object of their wishes and attempts. As a body, the volunteers, at that hour of generous enthusiasm, were unassailable to any bribe that could be offered them; neither were they to be intimidated; to disarray them, Government, agitated by contending terrors, invasion on the one hand, volunteers on the other, did not dare. This patriot army were at length no longer molested, and men of all conditions and opinions enrolled themselves in its ranks with enthusiasm.—That Irishman must be cold indeed, who can look to those days without a lively satisfaction, and a noble elevation of mind; when the spirit of his country rose

superior to her distresses; when trade revived, and a constitution was restored.

The exertions of Mr. Grattan in the senate tended, in a very powerful degree, to animate the spirit of the volunteers, by whom he was looked up to, with a respect bordering on adoration. By leading the mind of the public, and even of the legislature itself, to the consideration of national rights, and the actual situation of their common country, with respect to England, he was clearing the way for that measure which he meditated—a declaration of the Legislature in favour of national independence. By obtaining freedom of commerce for his country, he had already done much towards the attainment of the great object; for he had removed the key-stone of the arch, and thus weakened the cohesion of the fabric.—He had taught the people to think, and the legislature to feel their power. His eloquence, of a style more warm and animated than either Parliament, or the people, had usually felt, and exerted upon subjects respecting which the human mind is susceptible of the greatest degree of enthusiastic fervor, was gratified by complete success; directed by a sagacious understanding, which could catch the moment propitious to exertion, and proportion his zeal to its object, his Parliamentary speeches taught a subjugated nation to pant for independence; while the public voice highly animated on this subject, and seconded by the loud assent of 80,000 men in arms, (for to so many did the volunteer association amount!) kindled, even in the cold bosom of Parliament itself, a desire to assert its dignity, and rescue its authority from the gripe of British usurpation. Of this sentiment, so novel in an Irish legislature, that had long forgotten the pride

of independence—of this energy, Mr. Grattan availed himself; he caught as he inspired the generous flame, and by one of those extraordinary displays of impassioned eloquence, to which even the eloquent cannot rise, but when a momentous object seems to furnish adequate powers, he gave rise to the celebrated declaration, “That the King, Lords, and Commons of Ireland, only could make laws to bind Ireland, in any case whatever.”

The following order of Mr. Grattan’s speeches exhibit no faint outline of his exertions, from 1779 to the final accomplishment of the declaration of our independence in 1782. The only liberty which the Editor has taken with these speeches is, to put them in the first person; the Reporter had given them in the third.

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On the 10th November, 1779, Mr. KEARNEY rose, and after a pathetic enumeration of the severity of the Hearth-money Tax on the lower order of the people, he called on Administration to adopt some mode, by which their sufferings might be relieved.

Upon this occasion, Mr. GRATTAN declared that no man more sincerely considered the burden of that tax than he did, but that this was of all others the time in which the subject of taxation should be totally suspended, and that an awful silence in that instance should prevail through the house. He had heard a Widow Tax being spoken of, but he utterly disapproved of a measure, though it was to exchange one tax for another, taking place at a time when Parliament had declared, that nothing but a free trade could save this country from impending ruin—that the declarations which fell from a member of the administration (the Attorney-General) had given an universal alarm, and that his words had spread like wild fire through all ranks of men—“that new taxes, to the amount of 75,000*l.* were announced to be raised at a time of universal bankruptcy.” That an association was already drawn up, that no man would vote, at a future election, for any member who voted for new taxes, or for a money bill for more than six months, which, to his certain knowledge, he was acquainted with—therefore he hoped the honorable member would suffer the subject of taxation to remain undisturbed, until

the House should know what *commercial* enlargements would be granted to this already *undone* and unfortunate kingdom.

The ATTORNEY-GENERAL replied :

He said he was called upon by matter of a very high nature, which had fallen from an honorable member (Mr. Grattan) whose great abilities always excited the highest attention ; he said it had been asserted, that the words which fell from him yesterday, had spread like *wild fire*, and created unusual alarm ; he did not know that any thing which fell from him, could have alarmed the nation in the manner described—but he heard expressions fall from gentlemen, which should never be spoken within those walls ; that freedom of debate was restrained, and *outrage* held out as a terror to the representatives—that, as a Lawyer, he would take upon him to say, that if he were upon a committee, he would disqualify the elector who had signed such association as the honorable gentleman mentioned, and that he considered such an association *illegal*.

To this MR. GRATTAN replied in the following words :—"I have heard the right honorable gentleman, the Attorney-general, censure a doctrine, which I conceive to be a great and fundamental part of the constitution, and a most powerful instrument of national redress. Where a representative was disposed to act *against* what was evidently the public interest, the constituents *might* and *ought* to agree with one another, never to return that man to Parliament. One member of this House may think this doctrine *surprising*, another member may think it *illegal*, yet I will persist to maintain, and if necessary, to carry it into execution—that the right to *instruct*, and to *back* instructions, by further association, not to return the obdurate member—were *one* and the *same*—both were the rights of the constituent, to be reserved upon great occasions, and upon great occasions *always* to be exercised.

"Suppose, when the petition of right was agitating, a constituent had said to his representative—Sir, this is a measure of the last consequence, I hope you *will* support it ; suppose that member should refuse ; in that case have not I a right to declare in writing, with my brother electors, that I will vote against *that* member upon all future occasions ? Is a *free trade* less an object to Ireland, than the *petition of rights* was to England, or were the people more called upon to deter individuals from selling the country, in the case of violated liberty, than of *usurped* trade ? I do not understand what gentlemen mean by asserting that the elector threatens his representative ; suppose great numbers in this House to be under the influence of government, would it not be expedient to counteract that dishonest influence, by the *strong impulse* of the people, not in order to take away the liberty of acting, but to oppose the tide of corruption, by the tide of the people. I am the more convinced of the propriety of this *close* connection between the representative and constituent body of Ireland, when I recollect the great purpose you pursue. Is not a

free trade, such an object as requires all the efforts you can legally and constitutionally put forth? are we afraid of our own people? Sir, I respect the *gentry* of this country, but I respect the people *more*—Sir, I speak with confidence, that the great object we seek, cannot be obtained by the skill, the prudence, or the dexterity of 300 men, without the spirit and co-operation of three million.

“This is not a time to cry down public associations, under a notion of dictating to Parliament; to what do you owe the present spirited and respectable posture of this country, but to associations;—The Parliament had, by its precedent, left this kingdom last Session without an effectual friend in either House of the English Parliament; your loyal addresses; your 300,000*l.*—the bounty and discretion of Parliament left us without a hope of relief; our cause was scouted out of both Houses in England under our *precedence*; it was *recalled* to their consideration by the associations, which raised you an advocate in the King, Lords, and Commons of Great Britain; these associations went farther; they caused a fortunate change in the circumstances of this house, they inspired us to ask directly for the greatest object that ever was set within the view of Ireland, A FREE TRADE, they inspired the Commons, they animated the Lords, and having made both Houses unanimous in the greatest measure that ever combined a nation; having given fire to that union, they carried you, Sir, the people carried you proudly on their crest, when you proceeded to deliver to his Excellency *the great requisition*. I could mention other great acquisitions obtained by the people; to the public, the constitutional public, you owe that great law, the Octennial Bill, which was passed by the constituent body, against the wishes of all the estates who assented to it; to say that associations against those who desert the public upon such occasions are contemptible, is idle; the man who despises, or who proposes to despise such associations, is despicable. Is it a bolder measure to associate against the commerce of England, which *almost* every man in this House has done. than against the person of any individual sitting in Parliament. With respect to the law, I shall not enter into long arguments upon that head; I know of no law against such associations, I never heard any ground for supposing the law to be against them, I am so convinced of their legality, that if it should become necessary, I should join one as an elector. The right honorable gentleman, who says he would disallow such a vote, will please to recollect it would not be in his power to do so; for when the vote comes before him, he will be on his oath; as to the *pleasure* which his declaration of yesterday, “that gentlemen meant to continue the present establishment, and to ask for new taxes, in order to fund the present debt,” gave to the public, I have my doubts; What! does the public rejoice that we are to run in debt every Session half a million! Does the public, over whom ruin impends. unless averted by a free trade, find a gratification in knowing, that *without a free trade* those taxes are

to be augmented?—The servants of the Crown, to whom large arrears are due, might find a balm in those declarations, when they were to be paid by new taxes levied on the people. As to what fell from the right honourable member, relative to the short Money Bill, I do anspicate that a short Money Bill *will* be carried. I agree with *him* that it ought not to be carried by outrage; it *will* be carried by the universal sense of all ranks of men, and those who now speak against the measure will finally give it a voluntary compliance.”

*Sir Henry Cavendish* rose immediately after Mr. Grattan, and observed, with peculiar warmth, that he could not forbear opposing the violent attack made upon the dignity of the House; that he heard the wrath of the people threatened against such members as would refuse to obey their dictates; that he advised that House to crush by times a spirit of sedition which he saw was evidently gone abroad, and *now* was the time to check it; the independants in the last century began with seeming moderation, but at last *cut off the head of their King*; factious men may creep into those Volunteer companies and get power; they may urge others to do what the latter are not aware of;—I am not a freeman if I cannot vote as I choose; if I am, in short, told that if I do not vote in such a way, I shall never be re-elected; it takes away the freedom of debate—I never will submit to it.

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Mr. GRATTAN again rose, and spoke as follows :

“ Sir,

“ I rise once more to take notice of some expressions which fell from the right honourable baronet.—I desire to know what he means?—Does he mean that the independent companies should be disarmed?—Does he mean that the civil associations should come under the censure of Parliament?—*Will he dare*—will the right honourable baronet dare to assert, that there are any men of the independent companies *dangerous* to the safety of the Crown—that there is any man now in arms, with whom the safety of His Majesty’s crown and dignity may not be with as much propriety confided as with himself?—*Whatever he was, is, or ever will be.* Let me tell that right honourable gentleman, there is something *particular* in his situation; he is, in right of his father, a public debtor; a public debtor and a public object should not adopt so offensive a mode of expression, or to convey such a *hasty* idea, as to state the money laid out for the improvement of the kingdom as the sole cause of the national debt; he stands upon *very* delicate ground, and yet he puts himself forward upon all unpopular occasions, though he owes so much to the charitable forbearance of the public—he makes himself a constant enemy to that cause which the people conceive to be their own.”

The activity of the Castle to ensure a majority in the Parliament, kept pace with the ardour of patriotism; and accordingly, when Mr. Grattan, on the 19th of April, 1780, moved to have it entered on the journals, "*that no power on earth, save the King, Lords, and Commons of Ireland, had a right to make laws for Ireland,*" and though only one man denied that right, still, if the motion had been put, it would not have been carried.

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The following is the best report extant of Mr. GRATTAN's speech on that occasion :

"Sir,

"I have intreated an attendance of the House on this day, to protest against the usurpations of the Parliament of Great Britain, and to join with me in lifting up their hands and voices against such usurpations. Two millions of people out of doors were to be satisfied, and had I a son, I would, like the father of Hannibal, bring him to the altar to swear the sacred maintenance of the people's rights. I would move them to as full and ample a declaration as could be done without shaking the pillars of the state. It is impossible to stop the voice of millions—the public mind was not at ease—enough was not done.—You are the guardians of the public liberty, you owe your country that liberty, and she calls upon you to restore it—she calls upon you to make Great Britain revoke the injustice of her laws, and to restore your political as she has your commercial freedom. In passing the bills for liberating your trade, the British minister has made use of the words, *that it was expedient to allow Ireland to export her own products.* *Expedient* is a word of great reserve. *Expedient* is a word fatal to Great Britain; by such a word she lost America, and plunged her country in scenes of blood. By this reservation your trade is in the power of England, whenever she may think proper to take it away. We were allowed a moment of satisfaction, but not a relief from slavery. God has afforded you an opportunity to emancipate yourselves and your posterity; wait not the issue of a general peace, when the direction of her power on this fated island may again lay you in bondage. For the honour of your

country—for the honour of human nature—by the memory of your sufferings—by the sense you feel of your wrongs—by the love you owe your posterity—by the dignity and generous feelings of Irishmen—I beseech you to seize the auspicious occasion, and let this be the hour of your freedom! The doctrine of parliamentary supremacy Great Britain now finds to be nonsense—parliamentary supremacy has been the bane of Great Britain. Her enemies are on all sides pouring in on her. The sea is not her's; the honour of her councils and arms is tarnished. She has no army—no fleet—no admirals—no generals—A supineness pervades her measures—and distractions attend her councils. Parliament is the only spring to convey the native voice of the people; never did this or any other country behold a senate possessed of so much public confidence. There is an ardent combination among the people, a fire which animates the nation to its own redemption.—A sacred enthusiasm, un conveyed in the language of antiquity, and which only belongs to the natural confidence of freedom. Forty thousand men in arms look up to the result of this day's deliberation.—Let the lovers of freedom rejoice at that martial spirit, which has operated to national happiness. If you refuse to comply with the resolution of this day, you belie the desire of your constituents. A providential conjunction and the hand of God seem to demand and direct it; grasp at a blessing, which promises independence and happiness. Yesterday the servants of the Crown were asked, whether a standing army of fifteen thousand Irishmen were to be bound in this kingdom by English laws; and the servants of the Crown have asserted that they shall.—The servants of the Crown have dared to avow that they shall be bound by English laws—This is the consequence of your rejoicing at a partial repeal of the laws which oppressed you—your exultation betrayed your rights. The courtier may have his salary—the landed gentleman may have his rent—you may export the commodities of your country, and bring the returns of another—but liberty—liberty, the consummation of all trade, is wanting. The superstructure is left without a base—you have commerce without a full trade, and a senate without a parliament. When I found a prohibition upon glass, and other commodities, when I found an act of the 6th of George the 1st, which expressly claimed a power of binding this kingdom,—the king, without its parliament, enacted a law to bind the people of Ireland, by making laws for them; it was time to call the authority of England a rod of tyranny. I call upon the judges of the land, the justices of the peace, and officers of the army, to say whether they do not act under the direction of English statutes! A present and explicit declaration of rights must remove all this. Three millions of people must feel how necessary it is to be as free as the people of England. They must behold, with veneration, a parliament superior to every other, and equal to that which passed the bill of rights.—A senate composed of men that would do honour to Rome, when Rome did honour to human nature.—



“The enemies of Ireland may call the efforts of the people the proceedings of a mob.—A mob stopped your magistrates in their obedience to English laws, and vindicated your abdicated privileges. I shall be told this was the turbulence of the times; and so may every effort for freedom in the history of mankind be called. Your fathers were slaves, and lost their liberties to the legislature of England;—the kingdom became a plantation—the spirit of independence was banished—The fears of parliament made it grant, in a strain of tremblingservility, whatever was demanded: Men of overgrown fortunes became the very jobbers of corruption; they voted an embargo, which brought bankruptcy on the prince and misery on the people. The people saw nothing but starving manufacturers, a corrupt senate, and a military combination. The courtier was glad to petition for a free trade, and England to grant it; but the unconstitutional power of an English Attorney-general, and an English parliament, still remains—Eighteen or nineteen counties deserving to be free, and who are your legal constituents, have petitioned for this redemption.—You may lull the public with addresses, but the public mind will never be well at ease until the shackles are removed. The maxims of one country go to take away the liberties of another—Nature rebels at the idea, and the body becomes mutinous—there is no middle course left; win the heart of an Irishman, or else cut off his hand: A nation infringed on as Ireland, and armed as Ireland, must have equal freedom; any thing else is an insult. The opportunity prompts—the spirit of the people prompts—the opinion of the judges prompts. No arguments can be urged against it, but two; one is, the real belief that the British nation is a generous one, witness the contribution sent to Corsica, and the relief afforded Holland; and the other, their uniform hatred of an administration that brought destruction on the British dominions? If England is a tyrant, it is Ireland made her so, by obeying—The slave makes the tyrant—What can prevent the completion of our demands? It is not in the power of England to resist. Can she war against ten millions of French, eight millions of Spaniards, three millions of Americans, three millions of Irish? England cannot withstand accumulated millions, with her ten millions; with a national debt of 200 millions, a peace establishment of 21 millions,—can she pretend to dictate terms. She offered America the entire cession of her parliamentary power, and can she refuse the Irish the freedom of fellow-subjects? Every thing short of total independence was offered to the Americans—and will she yield that to their arms, and refuse it to your loyalty? Nothing but a subjugation of mind can make the great men of Ireland tremble at every combination for liberty. When you possess this liberty, you will be surprized at your situation, and though jobbers may deem your ardour phrenzy, it will be a fortunate madness; a declaration will be the result. Your constituents have instructed and they will support you; for public pride and public necessity will find resources. What will

your judges and your commissioners, who have refused to abide by English laws, say? Will you abdicate, will you bring them into contempt? Eighteen counties have declared against it, and no man in this house dare defend the claims of the English. It is the sense of this side of the House, not to give an assent to the money bills until we obtain this declaratory act. The mock moderators, who go about preaching peace, are the really factious, and the worst enemies of this country.——Have you been for a century contending against the power of an English Attorney-general, and dare not conquer, though lying at your mercy?—The great charter has not been confirmed, as often as our rights have been violated. You may be told indeed you are ungrateful.——I know of no gratitude which can make me wear the badge of slavery. Insatiable—we may be told we are, when Ireland desires nothing but what England has robbed her of. When you have emboldened the judges to declare your rights, they will not be afraid to maintain them. His Majesty has no title to his crown but what you have to your liberty; if your exertions in that cause are condemned, the revolution was an act of perjury, and the petition of right an act of rebellion. The oaths made to the House of Stuart, were broken for the sake of liberty, and we live too near the British nation to be less than equal to it. Insulted by the British Parliament, there is no policy left for the English, but to do justice to a people, who *are otherwise determined to do justice to themselves*. Common trade and common liberty will give strength to our constitution, and make both nations immortal; the laws of God, the laws of nature, and the laws of nations, call loudly for it. Let not that supremacy, which has withered the land, remain uncontroverted. Do not, by opposing the present opportunity, give that destructive blow to the balance of the constitution which shall weigh it down beyond the power of recovery. Do not let the curses of your children, and your reflections in old age, weigh you down to the grave with bitterness. Forgetful of past violation and present opportunity, let no body say the parliament was bought by a broken ministry and an empty treasury. That having made a God of self-interest, you kneeled down to worship the idol of corruption. Your exertions now will be the basis for erecting a temple to liberty. By the inspiration of the present opportunity,—by the affection you owe posterity—by all the ties which constitute the well-being of a people, assert and maintain the liberties of your country. I have no design, I ask for no favour, but to breathe in common in a nation of freedom; but I never will be satisfied as long as a link of the British chain is clanking to the heels of the meanest peasant.” Mr. Grattan then moved that the House resolve, “*That the King’s most excellent Majesty, Lords, and Commons of Ireland, are the only powers competent to make laws to bind this kingdom.*”

Mr. Stuart rose to second this motion, and delivered his opinion of the immediate necessity there was for carrying the present resolution.

The *Attorney-general* proposed an amendment "*to adjourn the question until the first day of September next.*"

The right honourable Mr. BURGH, notwithstanding the report of his illness, attended in his place, and with an eloquence to which it would be impossible for us to do justice, most ably supported the motion, combating and refuting whatever was urged from the side of Government against it. He said he owed no favour to Administration; they knew it; for he had scorned what they offered: nor would he oppose administration, to embarrass them; and he hoped every gentleman would support them when right. He acted, he said, from pure constitutional motives, to support the rights and privileges of his country, which, he hoped, he ever should do.

The question before the House was no less than the very paladium of the Irish constitution; and gentlemen seemed to rely much on the impropriety of urging a decision, because a similar resolution to that now moved for appeared upon the face of their journals in the month of July, 1641, and, as the question of adjournment had been moved, he would beg leave to offer an amendment, which, he hoped, would conciliate all parties. The amendment was to this purport, "*that there being an equal resolution on the books with the one now moved, the same may be, for that reason, adjourned to the first day of September next.*"

Mr. GRATTAN (on being pressed by the Government party to withdraw his motion) said, he never could consent to withdraw the proposed declaration of rights, when a great law officer had asserted, that the Parliament of England had a right to bind the people of Ireland. It was impossible to wave the declaration; as to the person who made the assertion in favour of England, he was an *unhappy man*—another gentleman had presumed to call the sense of eighteen counties, *Faction, Riot, Clamour*—He hoped such idle babble—such idle babble would have no weight against the rights of a people.

The amendment of the right hon. Hussey Burgh to the Attorney-general's motion for adjourning the question to the first of September, being a truism, could not be controverted, and the ministerial side, though from the complexion of the House it was evident they had a majority, were afraid to let the question on Mr. Burgh's amendment be put; as, if it was carried, it entirely established the declaration of right, let Mr. Grattan's motion then go as it would: their embarrassment was at last put an end to by the right hon. Hussey Burgh, who, at twenty minutes past six in the morning, moved, "*that the House be adjourned,*" which preceding every motion, was of course immediately put, and carried unanimously.

This inattention, or rather backwardness of the majority in Parliament to serve their country, was more fully manifest in the case of a Mutiny

Bill, which they allowed to be made perpetual in Ireland, though that in England had always been cautiously passed from year to year. Mr. Grattan took great pains to set forth the bad tendency of the act; and these representations of his, first opened the eyes of the Irish nation to its enormity. And on the 13th of November, 1781, he moved that leave be given to bring in heads of a bill to explain, amend, and limit an act, entitled, "An act to prevent Mutiny and Desertion in the army, which he prefaced by the following observations:—

"Sir,

"In the 18th century, however astonishing it must appear, I rise to vindicate Magna Charta, sanctified as it is by the authority of 600 years. I call upon gentlemen to teach British privileges to an Irish senate. I quote the laws of England, first, because they are laws; secondly, because they are franchises; and they are the franchises of Irishmen as well as of Englishmen. I am not come to say what is expedient, I come to demand a right; and I hope I am speaking to men who know and feel their rights, and not to corrupt consciences and beggarly capacities. I beg gentlemen to tell me why, and for what reason, the Irish nation was deprived of the British constitution?—The limitation of the Mutiny-bill was one of the great hinges of the constitution; and ought it then to be *perpetual* in Ireland?

"No man could doubt as to the point of right respecting the army; I will even resort to the question of *necessity*.—We want not an army as Great Britain does; for an army is not our protection.—Was your army your protection when Sir RICHARD HERON told you, *you must trust to God and your country*?—You want it not for defence, you want it not for ambition—you have no foreign dominions to preserve, and your people are amenable to law.—Our duties are of a different nature—to watch with incessant vigils the cradle of the constitution, to rear an infant state, to protect a rising trade, to foster a growing people.—We are free, we are united—persecution is dead—the Protestant religion is the child of the constitution—the Presbyterian is the father—the Roman Catholic is not an enemy to it—we are united in one great national community.—What was our situation formerly? We were a gentry without pride, and a people without privilege.

The British constitution lay upon the ground like a giant's armour in a dwarf's custody.

"At length the nation asserted itself, and though the Declaration of Rights was not carried, which I proposed as a measure safe and innoxious; yet our spirit made us a nation.—British supremacy fell upon the earth like a spent thunderbolt—the Minister feared to look at it—the people were fond to touch it.

"Yet though we have no necessity for an army, and have asserted our freedom, we have followed that assertion by erecting martial law, and a perpetual dictator for ever.—I laugh at the argument that this law is the charter of our freedom.—Is the 6th of George I. repealed?—Why does not the Minister come forward and declare our rights?—No, all is mystery, all is silence.—Besides, the present Mutiny-law is defective—no enacting part—and articles of war are become the law of the land; by which there is no safety left either to England or Ireland—we have suffered an armed prerogative to issue out of a claim of right.

"Besides, the power of the purse is given up already by the hereditary revenue, that original sin of your ancestors, which visits you from generation to generation—This is a very alarming consideration to those that love liberty better than the profits of office. Yet we have added the tide of power to the sink of influence, and have bid majesty to govern by either. The power of the purse you have long lost—you have now lost the power of the sword. The question is—will men prefer a biennial to a perpetual Mutiny-bill? Will men lay their hands upon their hearts, and decide the question?

"Suppose that a company of British merchants should petition an English Parliament to restrain your trade again, and that the requisition should be acceded to, what would you do—without any resources to support your right? without a navy. You could not resist such a mandate; and every idea of coping with such tyranny would be in vain, when you have resigned the sword. When two-thirds of your revenue are granted in perpetuity, the power of Parliament cannot preserve the Free Trade of the kingdom. Be assured that England will never grant to your meanness what she refuses to your virtue. In the infancy of this very act, why did not the advocates of its present form come forward, and propose it a perpetual Mutiny-bill? No. They knew such language would ill suit the ears of Parliament, as it then stood disposed in the public service.

"If you are competent to regulate your commerce, why not competent to regulate your own army? Commissioners have been sent to America, to offer a branch of the British empire, in arms against the parent state, unconditional terms to tax themselves, and regulate their own army. Two of the Commissioners have been sent over to govern this kingdom.—Will his Excellency, or the right

hon. gentleman his Secretary, say that Ireland is not entitled to the terms offered to America?—That the loyal and affectionate sister of England is not entitled to the indulgence held out to the enemy of England—to the ally of France? It is impossible.—I therefore move, “That leave be given to bring in heads of a bill to explain, amend, and limit an act, entitled an Act to prevent Mutiny and Desertion in the Army.”

On a division, there appeared 77 *for* Mr. GRATTAN's motion, and 133 *against* it.

An universal disgust against the spiritless conduct of Parliament now took place, and the hopes of the people were once more turned on the volunteers. The reviews in 1781, exceeded those of the former year; the spectators were struck with the novelty and grandeur of their appearance, and they became more than ever the object of esteem and admiration. A report having arisen that the kingdom was to be invaded by the combined fleets of France and Spain, they shewed their alacrity to serve their country in the field; and for their spirited behaviour on this occasion, they a second time received the thanks of both Houses of Parliament. Thus though the Castle found it no difficult matter to obtain a majority in Parliament, it found it impossible to repress the spirit of the nation.—The volunteers, exasperated at Government refusing to repeal the obnoxious parts of the Mutiny Bill, and rejecting some modifications of Poyning's law, resolved at once to do themselves justice, and were conscious that they had the power to do so. At a meeting, on the 28th December, 1781, of the officers of the southern battalion of the Armagh regiment, commanded by the *Earl of Charlemont*, they entered into several very spirited resolutions, declaring, that

the most effectual measures ought to be pursued to root corruption out of the legislative body and requesting a meeting of delegates from all the volunteer associations, to be held at Dunganannon on the 15th February, 1782, "*to deliberate on the alarming situation of public affairs.*" As soon as this bold call appeared, the Castle took the alarm, and every possible means were used to frustrate the object of the requisition, but in vain.—As the awful 15th of February approached, doubt and anxiety appeared in every countenance; men of every description were deeply concerned in the event, and perhaps there never was a period more critical to a nation. The meeting, in consequence of this requisition, was one of the most important transactions in the modern annals of Ireland.

On the 15th of February, 1782, the representatives of 143 Volunteer corps met at Dunganannon, and entered into several resolutions,\*

\* "WHEREAS it has been asserted. that Volunteers, as such, cannot with propriety debate or publish their opinions, on political subjects, or on the conduct of parliament, or public men.—

"Resolved *unanimously*, That a citizen, by learning the use of arms, does not abandon any of his civil rights.

"Resolved *unanimously*, That a claim of any body of men other than the King, Lords, and Commons of Ireland, to make laws to bind this kingdom, is unconstitutional, illegal, and a grievance.

"Resolved (*with one dissenting voice only*,) That the powers exercised by the Privy Council of both kingdoms, under, or under pretence of, the law of Poynings, are unconstitutional, and a grievance.

"Resolved *unanimously*, That the ports of this country are by right open to all foreign countries, not at war with the King, and that any burthen thereupon, or obstruction thereto, save only by the Parliament of Ireland, are unconstitutional, illegal, and a grievance.

"Resolved (*with one dissenting voice only*,) That a Mutiny Bill, not limited in point of duration from session to session, is unconstitutional, and a grievance.

which were received with the utmost applause throughout the kingdom; and the friends of

*"Resolved unanimously, That the independance of Judges is equally essential to the impartial administration of justice in Ireland as in England, and that the refusal or delay of this right to Ireland, makes a distinction, where there should be no distinction, may excite jealousy where perfect union should prevail, and is in itself unconstitutional and a grievance.*

*"Resolved (with eleven dissenting voices only,) That it is our decided and unalterable determination to seek a redress of these grievances; and we pledge ourselves to each other and to our country, as freeholders, fellow citizens, and men of honour, that we will, at every ensuing election, support those only who have supported us therein, and that we will use every constitutional means to make such our pursuit of redress speedy and effectual.*

*"Resolved (with one dissenting voice only,) That the Right Honorable and Honorable the Minority in Parliament, who have supported these our constitutional rights, are entitled to our most grateful thanks, and that the annexed address be signed by the Chairman, and published with these resolutions.*

*"Resolved unanimously, That four members from each county of the province of Ulster, (eleven to be a quorum) be, and are hereby appointed a committee till next general meeting, to act for the Volunteer corps here represented, and, as occasion shall require, to call general meetings of that province.*

*"Resolved unanimously, That said committee do appoint nine of their members to be a committee in Dublin, in order to communicate with such other Volunteer associations in the other provinces, as may think proper to come to similar resolutions, and to deliberate with them on the most constitutional means of carrying them into effect.*

*"Resolved unanimously, That the committee be, and are hereby instructed to call a general meeting of the province, within twelve months from this day, or in fourteen days after the dissolution of the present Parliament, should such an event sooner take place.*

*"Resolved unanimously, That the Court of Portugal have acted towards this kingdom (being a part of the British Empire) in such a manner as to call upon us to declare, and pledge ourselves to each other, that we will not consume any wine of the growth of Portugal, and that we will, to the utmost extent of our influence, prevent the use of said wine, save and except the wine at present in this kingdom, until such time as our exports shall be received in the kingdom of Portugal, as the manufactures of part of the British Empire.*



their country rejoiced at the temper and firmness of their proceedings, and were gratified with that liberal benevolence and toleration, which convinced the Catholic, that the supposed hatred of the Protestant of the North existed only in the minds of the malevolent. To divide and conquer had been too long the odious policy of Government; that of Dunganannon was to unite and be victorious.

Within five days after the passing of the Dunganannon resolutions, when the Roman Catholic Bill was in the committee, Mr. Gardiner, who introduced the Bill, said, "He was happy to find that liberal spirit of toleration which had originated in that House, had so universally diffused itself throughout the whole Kingdom; and he rejoiced,

*"Resolved (with two dissenting voices only to this and the following resolution,) That we hold the right of private judgment in religion, to be equally sacred in others as in ourselves.*

*"Resolved therefore, That as men and as Irishmen; as Christians, and as Protestants; we rejoice in the relaxation of the penal laws against our Roman Catholic fellow-subjects, and that we conceive the measure to be fraught with the happiest consequences to the union and prosperity of the inhabitants of Ireland.*

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*To the Right Honorable and Honorable the Minority in both Houses of Parliament.*

*"My Lords and Gentlemen,*

*"We thank you for your noble and spirited, though hitherto ineffectual efforts, in defence of the great constitutional and commercial rights of your country. Go on:—the almost unanimous voice of the people is with you, and in a free country, the voice of the people must prevail. We know our duty to our Sovereign, and are loyal. We know our duty to ourselves, and are resolved to be free. We seek for our rights, and no more than our rights; and, in so just a pursuit, we should doubt the being of a Providence, if we doubted of success.*

*Signed by order,*

*WILLIAM IRVINE, Chairman.*

that where ill-nature had supposed prejudices would prevail, benevolence was seen to flourish. The delegates at Dangannon had manifested, that the people of the North were as forward to grant toleration, as the Catholics would be to receive it."

On this occasion Mr. GRATTAN, with a mind as liberal as it was enlightened, always the decided friend of every measure which tended to abolish those political distinctions, which retarded the progress of the country towards civilization and liberty; and seeing the safety of Ireland in the union of its inhabitants, thus spoke:—

"Sir,

"I object to any delay which can be given to this clause; we have already considered the subject on a larger scale, and this is but a part of what the clause originally contained. We have before us the example of England, who four years ago granted Catholics a right of taking land in fee; the question is merely whether we shall give this right or not, and if we give it, whether it shall be accompanied by all its natural advantages. Three years ago, when this question was debated in this House, there was a majority of three against granting Catholics estates in fee, and they were only allowed to take leases of 999 years; the argument then used against granting them the fee, was, that they might influence elections. It has this day been shewn that they may have as effectual an influence by possessing leases of 999 years, as they can have by possessing the fee; at that time, I do declare, I was somewhat prejudiced against granting Roman Catholics estates in fee, but their conduct since that period has fully convinced me of their true attachment to this country. When this country had resolved no longer to crouch beneath the burthen of oppression that England had laid upon her—when she armed in defence of her rights, and a high spirited people demanded a FREE TRADE, did the Roman Catholics desert their countrymen? No, they were found amongst the foremost. When it was afterwards thought necessary to assert a free constitution, the Roman Catholics displayed their public virtue; they did not endeavour to take advantage of your situation; they did not endeavour to make terms for themselves—but they entered frankly and heartily into the cause of their country; judging by their own virtue that they might depend upon your generosity for reward. But now, after you have obtained a free trade;

after the voice of the nation has asserted her independence, they approach this House as humble suppliants, and beg to be admitted to the common rights of men. Upon the occasions I have mentioned, I did carefully observe their actions, and did then determine to support their cause whenever it came before this House; and to bear a strong testimony of the constitutional principles of the Catholic body. Nor should it be mentioned as a reproach to them that they fought under the banner of King James, when we recollect that before they entered the field, they extorted from him a *Magna Charta*, a British constitution.

“In the reign of Charles II. a committee, consisting of Papists, Protestants, and Presbyterians, were sent from this country to prosecute Lord Stafford; we find them perfectly agreeing in the object of their mission; and indeed, when men begin to differ upon principles of religion, it is because they have no other great object to engage their attention; we cannot give the people of Ireland a *common faith*, but we can give them a *common interest*.

“In 1779, when the fleets of Bourbon hovered on our coasts, and the Irish nation roused herself to arms, did the Roman Catholics stand aloof? or did they, as might be expected from their oppressed situation, offer assistance to the enemy? No—they poured in subscriptions for the service of their country, or they pressed into the ranks of *her glorious Volunteers*.

“It has been shewn that this clause grants the Roman Catholics no new power in the state; every argument therefore which goes against this clause, goes against their having leases for 999 years—every argument which goes against their having leases of 999 years, goes against their having any leases at all—and every argument which goes against their *having property*, goes against their *having existence* in this land.

“The question is now, whether we shall grant Roman Catholics a power of enjoying estates, or whether we shall be a *Protestant settlement* or an *Irish Nation*? Whether we will throw open the gates of the temple of liberty to all our countrymen, or whether we will confine them in bondage by penal laws? So long as the penal code remains, we never can be a *GREAT NATION*; the penal code is the shell in which the Protestant power has been hatched, and now it has become a bird, it must burst the shell asunder, or perish in it.

“In Holland, where the number of Roman Catholics is comparatively small, the toleration of their religion is an act of mercy to them; but in this country, where they form the great bulk of the inhabitants, it is an act of policy, an act of necessity, an act of incorporation. The question is not, whether we shall shew mercy to the Roman Catholics, but whether we shall mould the inhabitants of Ireland into a *people*; for so long as we exclude Catholics from natural liberty and the common rights of men, we are not a *people*; we may triumph over them, but other nations will

*triumph over us.* If you love the Roman Catholic, you may be sure of a return from him ; but if you treat him with cruelty, you must always live in fear, conscious that you merit his just resentment : Will you then go down the stream of time, the Roman Catholic sitting by your side, un blessing and un blessed, blasting and blasted ? Or will you take off his chain, that he may take off yours ? Will you give him freedom, that he may guard your liberty.

“ In Ireland, as connected with England, the indulgence we wish to give to Catholics can never be injurious to the Protestant religion ; that religion is the religion of the State, and will become the religion of Catholics, if severity does not prevent them : *Bigotry may survive persecution, but it never can survive toleration.* But gentlemen, who speak of the enormities committed by Catholics groaning under a system of penal laws, do not take into account the enlightening and the softening of men’s minds by toleration, nor do they consider that as they increase in wealth, they will increase in learning and politeness.

“ I give my consent to the clause in its *principle, extent, and boldness*—I give my consent to it as the most likely means of obtaining a victory over the *prejudices of Catholics, and over our own*—I give my consent to it, because I would not keep two millions of my fellow subjects in a state of slavery ; and because, as the mover of the *declaration of rights*, I should be ashamed of giving freedom to but six hundred thousand of my countrymen, when I could extend it to two millions more.”

The exertions of this distinguished patriot, were not to be relaxed in the cause of his country. Within the octave of the great civic festival, held at Dungannon, Mr. GRATTAN, as the herald and oracle of his armed countrymen, once more addressed the House of Commons,

“ Sir,

“ After the ample discussion in this House, of the great question of right, the 19th of April, 1780, and the universal reprobation the assumption of the British Parliament, to bind this kingdom, then received, I had been silent on the subject, if that Parliament had not since that time continued its tyrannical and unconstitutional assumption, by enacting several laws to bind Ireland, which I have in my hand, as also a proclamation in the Irish Gazette, where the execution of a British statute is enforced : Measures that evidently shew that the British nation, so far from relinquishing the claim of usurped authority in this kingdom, have

still the same spirit of making laws for us, which they keep alive by renewing their claim on every occasion. These fresh instances of British usurpation, added to that disgraceful and unrepealed act of the 6th of George I. which declares Ireland bound at all times by the legislature of Great Britain, makes it necessary at this time for the Parliament of Ireland to come to explanation concerning its privileges, and the injured rights of the nation." (He then gave a narrative of the several instances where the British Parliament had asserted their power to bind this kingdom, from the act of navigation to the present time, the consequences of which, he said, were an infamous prodigality, an embargo, an admission of every thing in every shape from England.) "And what are, continued he, the boasted relaxations Britain has granted to us? The first was in 1778, as contemptible in principle as in effect; for after a bar of lawyers was brought to plead against Ireland in the English House of Commons, we were permitted to export every thing, except our manufactures. Their favour was an insult and aggravation to our misery. The minister sends over to know the cause of our distresses, and he is answered from his agents here, that it was done away, and that we were satisfied by being permitted to cultivate tobacco. The second period was in 1779, when Government abdicated the defence of Ireland, and Ireland appeared in arms; the minister now changed his tone, he glanced a temporary gleam of hope upon our shields; he gave us every thing, but kept the power of taking it back; he retained a Mutiny-bill and the Post-office act. The third period was a ministerial address of thanks, evidently calculated to dissolve the union of the people; it had its effect in a paroxysm of ease, and when it was known that the strength of this House was dissolved, and that the glory of 1779 was no more, an order comes over to oppose on every occasion the latent claims of Ireland; to oppose an Irish Mutiny-bill, to alter the Sugar-bill; and when Lord *Hillsborough* found you had lost all veneration for yourselves, he lost it for you likewise. The rebrobated measure of a perpetual Mutiny-bill followed; but you have not done with it yet; you have stabbed your country, and the wound is festering. Emboldened by your dissolution, English acts binding Ireland were passed last winter. Is the claim of the British Parliament to legislate for this kingdom given up, as I have heard some gentlemen say in this House? How futile and ridiculous now do these arguments appear, that declared the return of the Irish Mutiny-bill was a renunciation of legislation on the part of England? How futile and absurd are all the arguments that teemed on that occasion from the Government press?

"I am for tranquillity; it is for *honourable tranquillity*; but when I see an administration, unable to make a blow against an enemy, tyrannize over Ireland, I am bound to exert every power to oppose it.

"Ireland is in strength; she has acquired that strength by the weakness of Britain, for Ireland was saved when America was lost: When England conquered, Ireland was coerced; when she was defeated, Ireland was relieved; and when Charlestown was taken, the Mutiny and Sugar-bills were altered. Have you not all of you, when you heard of a defeat, at the same instant consoled with England and congratulated Ireland?"

"In every instance, the power of Britain over you appears. I shall mention one. Before the repeal of the English act, to retain the direct importation of sugar from the West Indies, a respectable merchant, Alderman Horan, offers to enter some; there being no Irish statute to prevent it, the commissioners of the revenue hesitate some time, and when they find that every kind of application to that gentleman, to dissuade him from persisting is in vain, they tell him he may pass his entry, but that the Stag frigate, over which they have no command, lies in the harbour ready to seize the ship! Thus did the commissioners shelter themselves behind the Stag frigate; and a Stag frigate will always be found ready to assert the power of the British legislature in Ireland, until the rights of Ireland are explained. How necessary, therefore, is it not to do it now? Surely you do not expect, like the Jews, redemption to come from Heaven, if you do not help yourselves? Ireland is connected in her franchises with England, not by conquest, as Judge Blackstone has childishly said, but by a compact." (Here, in a masterly, clear and energetic manner, he made a number of historical quotations, in which it was undeniably proved, that the supremacy of the Irish Parliament was allowed by the kings of England, from Henry the Second to Charles the First; and that the execution of the English laws that followed in Ireland, was accompanied by acts of tyranny and murder.—He then adduced a number of Irish acts, that proved Ireland had never surrendered her imperial right of legislature.)

"Precedents, continued he, of the execution of English laws in this kingdom, since 1741, avail nothing; they may soften the censure on a judge who acts under them, but laws or franchises cannot be done away by those partial abjudications that put out the lamp of liberty.

"If England was for a moment awake to her interests, she should come forward, and invite us to her arms, by doing away for ever each cause of jealousy.

"How, but by the strictest domestic union, can Great Britain, with only eight millions of people, oppose the dreadful combination of seven millions in Spain, with twenty-four millions in France, and two in Holland? Will she cast off three millions of brave and loyal subjects in Ireland, at so critical and eventual a time?"

"An Irish army, the wonder of the world, has now existed for three years, where every soldier is a freeman, determined to shed the last drop of his blood to defend his country, to support the execution of its laws, and give vigour to its police. The enemy threat-

en an invasion, the Irish army comes forward, administration is struck dumb with wonder, their deputies in their military dress go up to the Castle, not as a servile crowd of courtiers attending the Lord Lieutenant's levee, but as his protectors, while the cringing crowd of sycophants swarm about the treasury, and, after having thrown away their arms, offer nothing but *naked servitude*.

"You are now losing the British constitution, which by compact you were to possess: Two councils, with more than Parliamentary power; dependant judges; a Mutiny-bill lost; and governors, like the Roman pro-consuls in distant provinces, are sent over to fleece you.

"A general election is shortly to take place; what will be your answer to those who have sent you here, when you resign your delegated trust, and they ask you, Where are our rights? Where is our Sugar-bill? Where our Mutiny-bill?

"What will be the consequence of your not explaining your rights now? When a peace happens it will then be too late; your island will be drained of its people; the emigrants will say, let us prefer freedom in America to slavery at home, *and cease to be his Majesty's subjects here, to become his equals there*. Let us not therefore suffer the same men, whose infamous arts were reprobated in America, to succeed here."

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He then made his motion for an address to his Majesty.—

"To assure his Majesty, of our most sincere and unfeigned attachment to his Majesty's person and government.

"To assure his Majesty that the people of Ireland are a *free people*; that the crown of Ireland is a distinct kingdom, with a Parliament of her own, the sole legislature thereof.

"To assure his Majesty, that by our fundamental laws and franchises, laws and franchises which we, on the part of this nation, do claim and challenge as her birth right, the subjects of this kingdom cannot be bound, affected or obliged, by any legislature, save only the King, Lords, and Commons, of this his Majesty's realm of Ireland; nor is there any other body of men who have power or authority to make laws for the same.

"To assure his Majesty, that his Majesty's subjects of Ireland conceive that in this privilege is contained the very essence of their liberty, and that they tender it as they do their lives, and accordingly have with one voice declared and protested against the interposition of any other Parliament in the legislation of this country.

"To assure his Majesty, that we have seen, with concern, the Parliament of Great Britain advance a claim to make laws for Ireland; and our anxiety is kept alive, when we perceive the same Parliament still persist in that claim, as may appear by recent British acts, which affect to bind Ireland, but to which the subjects of Ireland can pay no attention.

"To assure his Majesty, that next to our liberties, we value

our connection with Great Britain, on which we conceive, at this time most particularly, the happiness of both kingdoms does depend, and which, as it is our most sincere wish, so shall it be our principal study to cultivate, and render perpetual. That under this impression, we cannot suggest any means, whereby such connection can so much be improved or strengthened, as by a renunciation of the claim of the British Parliament, to make laws for Ireland, a claim useless to England, cruel to Ireland, and without any foundation in law.

“That impressed with an high sense of the unanimity and justice of the British character, and in the most entire reliance on his Majesty’s paternal care, we have set forth our right and sentiments, and without prescribing any mode to his Majesty, throw ourselves on his royal wisdom.”

This motion was seconded by Mr. BROWNLOW, and supported by HUSSEY BURGH. The Attorney-general moved to have it put off to the first of August; which amendment was carried by a majority of 139 to 68.

A ministerial majority continued to negative the most important questions proposed by the patriotic members, who were loudly supported by the voice of the Volunteers. The situation of Ireland was daily becoming more critical; the taxes were deficient—the national debt was considerably augmented; while the people, irritated against Government, and conceiving themselves betrayed by Parliament, looked only to the Volunteers for a redress of their complaints;—these by their union had become more formidable than ever;—the resolutions of Dungannon were re-echoed through every part of the kingdom. What might have been the consequence, if Government had persevered in refusing the claims of the people, is happily matter now *only* of conjecture. Providentially for this kingdom and for Great Britain, the Tory ministry, whose precipitate councils had lost America, and suspended the safety of England on the brink of de-



are no longer an insolvent gentry, without privilege, except to tread upon a crest-fallen constituency, nor a constituency without privilege, except to tread upon the Catholic body; you are now a united people, a nation manifesting itself to Europe in signal instances of glory. Torn to the rest of Europe, and you will find the ancient spirit has every where expired; Sweden has lost her liberty; England is declining; the other nations support their consequence by mercenary armies, or on the remembrance of a mighty name; but you are the only people that have recovered your constitution, recovered it by steady virtue. You have departed from the example of other nations, and have become an example to them. You not only excel modern Europe, but you excel what she can boast of old. Liberty, in former times, was recovered by the quick feelings and rapid impulse of the populace, excited by some strong object presented to the senses. Such an object was the daughter of Virginius, sacrificed to virtue; such the seven bishops, whose meagre and haggard looks expressed the rigour of their sufferings; but no history can produce an instance of men like you, musing for years upon oppression, and then, upon a determination of right, RESCUING THE LAND.

"The supporters of liberty, in the reign of Charles I. mixed their sentiments of constitution with principles of gloomy bigotry; but you have sought liberty on her own principles; you see the delegates of the North advocates for the Catholics of the South; the Presbytery of Bangor mixing the milk of humanity with the benignity of the gospel; as Christians tolerant; as Irishmen united.

"This House, agreeing with the desires of the nation, relaxed the penal code, and by so doing, got more than it gave; you found advantages from generosity, and grew rich in the very act of your bounty; it was not merely an act of bounty to the Catholics, it was an act of bounty to yourselves; you hardly had given them privileges, when you felt your own, and magnified your liberty by enlarging the sphere of its action. You did not give away your own power: No; you formed an alliance with Catholic power, and found in that alliance a new strength and a new freedom. Fortunately for us England did not take the lead; her Minister did not take the lead in the restoration of our rights; had England in the first instance ceded, you would have sunk under the weight of the obligation, and given back the acquisition with a sheepish gratitude; but the virtue, the pride of the people was our resource, and it is right that people should have a lofty conception of themselves. It was necessary that Ireland should be her own redeemer, to form her mind as well as her constitution, and erect in her soul a vast image of herself, and a lofty sense of her own exaltation: other nations have trophies and records to elevate the human mind; those outward and visible signs of glory, those monuments of their heroic ancestors, such as were wont to animate the ancient Greek and Romans, and rouse them in their country's cause; but you had nothing to call forth the greatness of the land,

except injuries, and therefore it is astonishing that you should have preserved your pride; but more astonishing that you should proceed with a temper seldom found amongst the injured, and a success never but with the virtuous; which not only elevates you above our own level, but makes you equal to those nations, modern and ancient, whose histories you are accustomed to admire, *and among whom you are now to be recorded*. You have no trophies; but the liberty you transmit to your posterity is more than trophy. I dwell the more on this part of the subject, because I hold it necessary to pour into the public mind a considerable portion of pride, acting up to a good national character founded on a great transaction. What sets one nation above another, but the soul that dwells therein, *that aetherial fire*: for it is of no avail that the arm be strong if the soul be not great. The armies of England were most numerous under her late administration; but the English soul which should have inspired these armies, was gone. What signifies it, that three hundred men in the House of Commons—what signifies it that one hundred men in the House of Peers, assert their country's cause, if unsupported by the people; nor was this act of your redemption confined to any body of men; all have had a share in it; there is not a man that washes his firelock this night—there is not a grand jury—there is not an association—there is not a corps of Volunteers—there is not a meeting of their delegates, that is not a party to this acquisition, and pledged to support it to the last drop of his blood. It seems as if the subjects of Ireland had met at the altar, and communicated a national sacrament. Juries, cities, counties, commoners, nobles, volunteers, gradations, religions, a solid league, a rapid fire.

“Gentlemen will perceive I allude to the transaction at *Dungannon*; not long ago that meeting was considered as a very alarming measure: but I thought otherwise, I approved of it, and considered it a *great original transaction*, and like all original measures, it was a matter of surprise, until it became matter of admiration. What more surprising, or less within the ordinary course of things, than the convention of Parliament; what more extraordinary transaction than the attainment of *Magna Charta*. It was not attained in Parliament, but by the *Barons in the field*. Great measures, such as the meeting of the English at *Runnymede*, the meeting of the Irish at *Dungannon*, are original transactions, not following from precedent, but containing in themselves both principle and precedent. The revolution had no precedent, the Christian religion had no precedent, the Apostles had no precedent.

“Did this meeting found itself on the constitution? Yes; the constitution gives every elector a share in it; this forms a constitutional public. To preserve this share, the electors must meet, must confer, must associate; for communities cannot exist as individuals. Was the community called upon to confer? Yes; all the great constitutional questions had been lost; and the puh-

He cause, desperate in Parliament, fell into the hands of the nation. Had the late Irish Minister been less victorious here, he had not called upon all the nation to oppose him. Did the resolutions of this meeting tend to preserve the constitution? Yes; the meeting resolves that the claim of the British Parliament to bind Ireland is illegal; is there any man on earth who will deny this position? For what are the Volunteers associated, but for the preservation of the laws: And what is the claim of the British Parliament but a subversion of all law. The meeting resolves, that the powers of the councils to smother and adulterate your laws, is a grievance; that is, they support your privilege, invaded by those powers; they support you if you are tenacious of your privileges; if not, they support Parliament—Parliament against you;—*the rights of Parliament* against the *temporary trustee that would relinquish them*. The meeting reprobates a perpetual Mutiny-Bill; so do we all. The meeting protests against a dependant judicature—an independent army—against a Legislative Privy Council, and a foreign Parliament; a monstrous combination this; and not a constitution; something which supersedes you and your rights; and therefore these men, the good men at Dungannon, have acted for you, and have felt for you and your privileges; and accordingly you have very wisely acceded to their resolutions, and put the Irish Parliament at the head of this meeting and of this armament; and made their determination the great act; incontrovertible right, and unalterable purpose of the nation. Let other nations basely suppose that the people were made for Government; we assert that Government was made for the people; great and august as they are, they do but perform their periodical revolutions; even the Crown, that great luminary, whose brightness they all reflect, receives his cheering fire from the flame of the constitution; and therefore we may seek the sentiments of public meeting; and when we speak, let us speak with effect;—let us speak to the King as to a man who has feelings like ourselves, and like ourselves will speak the claims of liberty.

“ You did not expect some time ago it would come to this; you did little imagine that those men, whom some of you laughed at, parading the streets at first in awkward squads—who were the scoff of saucy affectation, should have proved the saviours of their country; should proceed with such moderation as to be dreadful only to the enemies of their country, and of their country’s constitution; would have formed to the solidity of strength and eminence of virtue, as to have proceeded to the height of things! Wonderful propriety of conduct there must have been, to have preserved those associations;—no license—no turbulence—no eccentricity—infallible as the laws of motion, they live in the constitution they preserve, and the spirit they inspire.

“ Let not England fear the Irish Volunteers; if she wishes well to Ireland, she has nothing to fear from her strength; the Volunteers of Ireland would die in support of England. This

nation is connected with England not by allegiance only, but liberty; the Crown is one great point of union, but Magna Charta is a greater; we could get a king any where, but England is the only country from which we could get a constitution; and it is this which makes England your natural connection. Ireland has British privileges, and is by them connected with Britain; both countries are united in liberty. This island was planted by British privileges as well as by British men; it is a connection, not as Judge Blackstone has falsely said, by conquest, but as I have repeatedly said, by charter. *Liberty, we say, with England; but at all events liberty.* This is the decided sense of the nation; and the men who endeavour to make our connection with England of quadrate with this fixed passion of the country, contend for the British nation and the unity of the empire. We are not growing in our claims, nor immoderate in our demands, nor vehement in our language; we are friends to England, on perfect political equality. This House of Parliament knows no superior; the men of Ireland acknowledge no superiors; they have claimed laws under the authority of the British Constitution; and the independence of Parliament under the authority of the laws of God and man. This right is so interwoven with your nature, that you cannot part with it though you were willing; *you received it from God, and you cannot yield it to man.* Beside, you are too high in pride, character, and power, to suffer any nation to claim a right to make your laws; it becomes a question of pride as well as privilege. What would Europe say of you? What would history say of you? Subterfuges, negotiations, and all qualification or composition, will never do; you cannot negotiate upon fundamental rights. Will the noblemen, the gentlemen, the armed men of Ireland, stoop to any other people? No, never. The nation is committed, she cannot bend; the armed presence of the nation cannot bend; besides, England has brought forward the question, not only by making laws for this kingdom last session, but by enabling His Majesty to repeal all the laws which England has made for America. What is this, but that America, differing from Ireland in not having a constitution; in not having a charter; in having less loyalty than Ireland; in having shed much English blood; that America shall be free! And will Ireland sink in a new point, and be the only nation whose liberty England will not acknowledge, and whose affection she cannot subdue? What, has she consented to repeal the Declaratory-act against America, and will she retain the Declaratory-act against Ireland? Is she ready to acknowledge the independence of America, and will she not acknowledge the liberty of Ireland, the ancient kingdom of Ireland, with her charter and her crown? This indeed were an unconditional surrender, a surrender to arms. I laugh at those who call the liberty of Ireland the disgrace of England; such a principle would be the disgrace of England; it has already been her destruction.

“For acknowledging American liberty, England has the plea of necessity : for acknowledging the liberty of Ireland, she has the plea of justice.—The British nation, if she consults with the head, or with the heart, will not, or cannot refuse our claims ; or were it possible she could refuse, *I will not submit*.—If England (which I cannot believe) is capable of refusing to repeal the Declaratory act against Ireland, after she has enabled his Majesty to repeal that which was made against America, if she were capable of imposing that distinction, you are incapable of submitting to it ; the members of this House cannot submit to it ; no nation is so little formed to bear any thing that looks like personal disrespect ; many of us have received great honours from the people ; can we, can I, for instance, among others, take the civic crown from my head, and go under the yoke of the British supremacy, real or imaginary ? Some of the gentlemen of this country are the descendants of kings ; can they pay allegiance to their ancestors’ crown, on the head of every common man in England ? I know the gentlemen of this country too well. I know they will not submit. The submission would go against their personal estimation, as well as against their public right. They would not submit to the insult in the face of Europe.—Are colonists to be free, and these royal subjects slaves ? Can the nation, in this popular and royal predicament, live cordially with the people of England, except on terms of perfect equality ?

“I have done with the supremacy of England, and shall now say a word on the appellat jurisdiction of the House of Lords. The Irish House of Lords must have their judicature, their birth-right, their unalienable privilege ; it is the English constitution, and must be restored. I must hear very strong argument, indeed, before I can be brought to think that this country is unfit for the British constitution. The supposed incapacity of the Lords to decide the question of law is an absurd way of talking ; give them power, and you give them capacity. Cannot they have the opinion of the Judges ? Do not they correspond with the Judge of England ? Are not the lay Lords of England, as unacquainted with law, as the lay Lords of Ireland ? And is not Ireland capable of having law Lords competent to law ? The present men are so. Are they not to adjudicate under the public eye ? Will not they be ambitious of a chaste discharge of a new power ? We can never fear any abuse of it. The Lords will exercise with caution a power restored to them by the virtue of their countrymen. Sir, I see in that House, not only sound legal knowledge, but a young and glowing vigour, virtue, and capacity, that will assert and exalt the peerage of Ireland.

“But you are to consider this head in another point of view ; you are called on this day to settle the constitution ; and if you leave any thing unsettled, if you leave any thing unasserted, you are responsible to England that the settlement shall be final, and therefore it must be radical. England meets your wishes, the

new Ministry intend to remove every subject of dispute, and throw themselves on the support of the people; then how can we support them, if any cause of dispute be left? England has said, state your grievance; and shall we neglect to do so? If we do, and if there shall be general meetings of the people, and of the Volunteers, to complain of grievances, after what is intended for a final adjustment; would not England think there was something insatiable in the Irish people? Do not you know, that if the legislative supremacy is ceded, the jurisdiction will be the next subject of attack. The wound opens again of the old splinter. These are great conjunctures, but I would not have them the ordinary course of things, I would therefore settle all our questions with England now, and shake hands with her for ever.

“The question of judicature cannot be distant from the question of legislature. If the 6th of GEO. I. be partially repealed, the claim of legislation is not ceded. Let us then restore the appellant jurisdiction; for if that part of the act be not repealed, they leave not only the claim of British supremacy standing against us, but they leave the exercise of the power existing; for the part of that act which vests the judicature in England, is an exercise of legislative authority. To cede the latter, therefore, the law must be repealed *in toto*; and if repealed, their original right reverts to the Peers, unless you pass an act, divesting the Peers of Ireland of their hereditary right—but will the Peers submit to this?—will the people submit?—will you expose administration to the odium of such an act? It cannot be; the illustrious House of Peers, composed of persons of the first learning, talents and abilities—aged men, matured in wisdom, aspiring youth, animated to glory, never will rest in the fashionable insignificance to which they have been reduced, nor carry about the world, in their noble persons, the evident badge of extinguished honor. No, my Lords, you shall have your judicature; you shall sit in the seat of your ancestors, dispensing justice, according to the ways of the constitution, in full nobility.—England can have no objection to this—she is not ambitious of the trouble of being an arbiter.

“I now come to the third head—the Mutiny-bill; (here he condemned it very forcibly, mentioned several reasons against its perpetuity, and what kind of a Mutiny-bill there should be) it must, says he, be limited in time, in number of men, the articles of war set forth, and the English declaration of rights, in the preamble. He then went to the fourth head, the law of Poyning, under which the councils had exercised a power of suppressing and altering bills; both which powers must be extinguished by law.

“I cannot imagine the present Ministers of England are inimical to the rights of the Irish nation, when they have been for so many years advocates for the liberties of England and of the colonies. It was the great rule of their opposition; and it is im-

possible that men, who are ready to grant independence to America, can oppose the independence of Ireland. If the late Ministry lost thirteen colonies during the course of our unsuccessful war, Ireland has, from being a colony, grown into a nation. If ministers have the same powers, and the same sentiments in office, that they had when in opposition; if they are not afraid of Ireland; if, instead of seeking to sooth, they mean to redress it; if they will give us ample and unqualified redress; the Irish people then are their friends, the volunteers are their army, and we are their supporters: we will give them a support very different from the canting of moderation, or that sort of pensioned loyalty, whose exertions never went beyond these walls: and let me add, this is a time when a venal Parliament, and a murmuring country, will not serve either England or Ireland. The same sentiment of pensioned loyalty did very well, when every thing was to be lost; but won't do now, when things are to be recovered; you must advance the state now, with a loyalty amounting to a passion, such as a bribe don't inspire, but such as British privileges will inspire. But then the redress must be manly, and strictly constitutional; there must be no *shuffling*, no artful delay. I do not say that ministers should take the lead in this business; if they will but concede, if they will not oppose our rights, I will support their administration.

"I have in my hand the terms; I will read them;

"6th of GEO. I. inadmissible; foreign judicature inadmissible, legislative power of the Council inadmissible; perpetual Mutiny Bill inadmissible.

"Limit and new mould the Mutiny Bill, extinguish the legislative power of the Council; restore the power of Lords; establish the independency of Parliament.

"These are my private terms: I speak to Viceroy and Kings here in Parliament; and those being complied with, I will take a decided part with the present Government. Consulted, if they please but not considered; I don't say that men of character ought not to take places under this administration; these things being done, places become honorable, and men of character ought to take them, to inspire the Nation with a confidence in Government, by shewing, in the first offices of trust, the most faithful of servants, and exhibiting in the same person the friend of the people, and of his Majesty's government.

"When I disclaim office, I should not disclaim responsibility, nor impose a rule for others, but crave indulgence for a singularity; I have no personal knowledge of the Lord Lieutenant; I was not acquainted with those about him; nay, if he had sent for me, I am persuaded I should have declined the honour of seeing him. But as I believe his Government will be virtuous, so far he shall have my *free support*. Yes, I will, if called upon, go into the cabinet, the people's friend: I will return unplaced, and unpensioned; supporting but not supported.

Mr. GRATTAN then moved an amendment, which was resolved, *NEM. CON.*

“That an humble address be presented to His Majesty, to return His Majesty the thanks of this House for his most gracious message to this House, signified by his Grace the Lord Lieutenant.

“To assure His Majesty of our unshaken attachment to His Majesty’s person and government, and of our lively sense of his paternal care, in thus taking the lead to administer content to His Majesty’s subjects of Ireland.

“That thus encouraged by his royal interposition, we shall beg leave, with all duty and affection, to lay before His Majesty the cause of our discontents and jealousies: To assure His Majesty that his subjects of Ireland are a *FREE PEOPLE*; that the Crown of Ireland is an *imperial Crown* inseparably annexed to the Crown of Great-Britain, on which connection the interests and happiness of both nations essentially depend; but that the kingdom of Ireland is a *distinct kingdom*, with a *Parliament of her own*, the *sole Legislature thereof*; that there is no body of men competent to make laws to bind this nation, except the *King, Lords, and Commons of Ireland*; nor any other Parliament which hath any authority or power, of any sort whatsoever, in this country, save only the Parliament of Ireland. To assure His Majesty, that we humbly conceive that in this *right* the very essence of our liberties exists; a right which we, *on the part of all the people of Ireland*, do claim as their birth-right, and which we cannot yield BUT WITH OUR LIVES.

“To assure His Majesty, that we have seen with concern certain claims advanced by the Parliament of Great Britain, in an act, entitled an act for the better securing the dependency of Ireland: an act containing matter entirely irreconcilable to the *fundamental rights* of this nation. That we conceive this act, and the claims it advances, to be the great and principal cause of the discontents and jealousies in this kingdom.

“To assure His Majesty, that His Majesty’s Commons of Ireland do most sincerely wish that all bills which become law, in Ireland, should receive the approbation of His Majesty, under the great seal of Britain; but that yet we do consider the practice of *suppressing our bills* in the councils of Ireland, or *altering the same any where*, to be another just cause of discontent and jealousy.

“To assure His Majesty that an act, entitled an act for the better accommodation of His Majesty’s forces, being *unlimited in duration*, and defective in other instances, but passed in that shape, from the particular circumstances of the times, is another just cause of discontent and jealousy in this kingdom.

“That we have submitted these the principal causes of the present discontent and jealousy of Ireland, and remain in humble expectation of redress.



“ That we have the greatest reliance on His Majesty’s wisdom, the most sanguine expectations from his virtuous choice of a Chief Governor, and great confidence in the wise, auspicious, and constitutional councils, which we see, with satisfaction, His Majesty has adopted.

“ That we have, moreover, a high sense and veneration for the British character, and do therefore conceive that the *proceedings of this country*, founded as they are in right, and tempered by duty, must have excited the *approbation and esteem*, instead of *wounding the pride of the British nation*.

“ And we beg leave to assure his Majesty, that we are the more confirmed in this hope, inasmuch as the people of this kingdom have never expressed a desire to *share the freedom of England*, without declaring a determination to *share her fate* likewise, **STANDING AND FALLING WITH THE BRITISH NATION.**

To this remarkable address, a most gracious answer was given.—In a few days the Lord Lieutenant made a speech to both Houses ; in which he informed them, that the Legislature of Britain had concurred in a resolution to remove the cause of their discontent, and were united in a desire to gratify every wish expressed in the late address to the Throne.

A negotiation was instantly commenced between the two Nations, which terminated in the repeal of 6th of GEO. I.—the act by which the British Parliament declared its right to bind Ireland by British statutes.

Thus, by the exertions of a liberal and wise Administration, were the liberties of Ireland restored ; peace, unity, and concord diffused through a revived Nation ; and the prosperity and glory of the British Empire increased, by adding strength, vigour, and felicity to that important part of it.

Mr. GRATTAN’s popularity was now at its *acme*. The atchievement of a Nation’s independence, by an individual, unaided by any force or any influence, but

that which genius, and which truth afford, was considered as the result of talents and virtue, almost above the lot of humanity. The legislature itself seemed for once to participate in the feelings of the people; for in the fervour of admiration, it was proposed that 100,000*l.* should be voted him as a mark of approbation.

In its full extent, this proposition was not adopted; for on a subsequent sitting, when the vote was before the Committee, they reduced it, at the special interest of Mr. Grattan's friends, to 50,000*l.* To that amount the grant was confirmed; Mr. Grattan actually received that honorable and well deserved tribute of his country's gratitude.

This bright prospect of peace and happiness was soon clouded; and a question arose, which divided the opinions of the patriots, and for a while suspended the popularity of Mr. GRATTAN. Mr. FLOOD, a distinguished member of the House, contended that the *simple repeal* of the Declaratory-act, to bind Ireland by British statutes, *was not sufficient*; that it did not amount to a renunciation of right; and that England might again resume the exercise of that power.—Mr. GRATTAN contended that the repeal, accompanied by the circumstances that attended it, should be considered as a complete renunciation.—That if Britain were inclined to be unjust, an explicit renunciation would be a slender defence; and that to force Great Britain, in this her hour of distress, to confess herself an usurper, by an express renunciation of the rights which she had exercised, would be as

ungenerous to her, as it would be useless to Ireland. With the people these arguments had little weight ;— in the senate Mr. FLOOD found few to support him.

All these reasons of discontent were ultimately removed ; and a Bill was brought into the British Parliament, renouncing, in the fullest terms, all claims to bind Ireland. Never was contest more fiercely fought than between these two rival Orators ; and in many instances, they acted with a degree of intemperance, unworthy their high estimation.

The following colloquy exhibits no faint idea, of the genius and point of Mr. GRATTAN, when roused to such contest.

October 28, 1783, Sir H. CAVENDISH moved, "That the condition of this country required every practicable retrenchment ;" which was supported by Mr. FLOOD, who declared himself so oppressed with illness, as to be little competent to speak to the question.—In the course of the debate, Mr. GRATTAN made the following observations :

"I shall not trouble you long, nor take up the time of the House, by apologizing for bodily infirmity, or the affectation of infirmity. I shall not speak of myself, or enter into a defence of my character, having never apostatized.—I think it is not necessary for the House now to investigate what we know to be fact. I think it would be better to go into the business, as the House did upon another occasion, without waiting the formality of the committee's report. As to myself, the honorable reward that a grateful nation has bestowed upon me, for ever binds me to make every return in my power, and particularly to oppose every unnecessary expense. I am far from thinking with the Honorable Gentleman, as to the speech, and I believe he will find instances where economy has been recommended from the throne, but prodigality practised. This was the case in Lord Harcourt's administration, an administration which had the

support of the hon. Gentleman; and therefore he of all men, cannot be at a loss to reject that illusory economy, which has so often appeared in the speeches of Lord Lieutenants. With respect to the Genevèse, I never could have thought it possible to give the speech such a bias as has been mentioned, and that people will be deceived, if they give credit to any declamation that infers, from the words of the speech, any thing but an honest economy in applying the public money fairly to their use. The nation has derived great honour from this transaction, and I would be sorry to have it tarnished by inference and insinuation.

"In 1771, when the burdens of the country were comparatively small, I made a motion similar to this; the hon. Gentleman then opposed me. I have his sanction, now, that I was right, and he was wrong: and I say this, that though gentlemen may for a while vote against retrenchments, they will at last see the necessity of them. Yet while I think retrenchment absolutely necessary, I am not very sure that this is just the time to make it in the army,—now when England has acted justly, I will not say generously,—now when she has lost her empire—when she still feels the wounds of the last unhappy war, and comforts herself only with the faithful friendship of Ireland. If in 1769, when the liberties of Ireland were denied, and those of America in danger, it was thought unadvisable to retrench our army, there can be no such reason to reduce it now; when both are acknowledged and confirmed. When we voted 4000 men to butcher our brethren in America, the hon. Gentleman should have opposed that vote; but perhaps he will be able to explain the propriety of sending 4000 Irish men thither. But why not look for retrenchment in the revenue and other departments. In my mind, the proper mode would be to form a fair estimate of what would be a reasonable peace establishment, and reduce our several departments to it.

Mr. Flood—"The right honourable Member can have no doubt of the propriety of my saying a word in reply to what he has delivered; every member in the house can bear witness of the infirmity I mentioned, and therefore it required but little candour to make a nocturnal attack upon that infirmity; but I am not afraid of the right honourable Member; I will meet him any where, of upon any ground, by night or by day. I would stand poorly in my own estimation, and in my country's opinion, if I did not stand *far above him*.—I do not come here dressed in a rich wardrobe of words to delude the people—I am not one who has promised repeatedly to bring in a bill of rights, yet does not bring in that bill, or permit any other person to do it—I am not one who threatened to impeach the Chief Justice of the king's Bench for acting under an English law, and afterwards shrunk from that business—I am not the author of the simple repeal—I am not one who after saying the Parliament was a Parliament of prostitutes, endeavoured to make their voices subservient to my interest—I am not one who would come at midnight and attempt, by a vote of this House, to stifle the voice of the people, which my egregious

folly had raised against me—I am not the gentleman who subsists upon your accounts—I am not the mendicant patriot who was bought by my country for a sum of money, and then sold that country for prompt payment—I am not the man who in this House loudly complained of an infringement made by England, in including Ireland in a bill, and then sent a certificate to Dunganon that Ireland was not included—I never was bought by the people, nor ever sold them; the gentleman says, he never apostatized, but I say I never changed my principles; let every man say the same, and let the people believe them if they can. But if it be so bad a thing to take an office in the state, how comes the gentleman connected with persons in office? They, I hope, are men of virtue, or how came the gentleman so closely connected with Colonel Fitzpatrick? I object to no man for being in office; a patriot in office is the more a patriot for being there. There was a time when the glories of the great Duke of Marlborough shrunk and withered before those of the Right Honourable Gentleman; when palaces superior to Blenheim were to be built for his reception, when pyramids and pillars were to be raised, and adorned with emblems and inscriptions sacred to his virtue; but the pillars and pyramids are now sunk, though then the great Earl of Chatham was held inferior to him; however, he is still so great, that the Queen of France, I dare say, will have a song made on the name—Grattan.

“Lord Harcourt practised economy—but what was the economy of the Duke of Portland? 100,000*l.* was voted to raise 20,000 seamen, though it was well known that one-third of that number could not be raised—and what was the application of the money? It was applied to the raising of the execrated fencibles.

“It is said I supported Lord Harcourt’s administration; it is true, but I never deserted my principles, but carried them into the cabinet with me. A gentleman, who now hears me, knows that I proposed to the privy council an Irish mutiny bill, and that not with a view of any Parliamentary grant. I supported an absentee tax; and while I was in office, registered my principles in the books of government; and the moment I could not influence government to the advantage of the nation, I ceased to act with them. I acted for myself—I was the first who ever told them that an Irish mutiny bill must be granted. If this country is now satisfied, is it owing to that gentleman? No; the simple repeal, disapproved and scouted by all the lawyers in England and in Ireland, shews the contrary; and the only apology he can make is, that he is no lawyer at all. A man of warm imagination and brilliant fancy will sometimes be dazzled with his own ideas, and may for a moment fall into error; but a man of sound head could not make so egregious a mistake, and a man of an honest heart would not persist in it after it was discovered. I have now done, and give me leave to say, if the gentleman enters often into this kind of colloquy with me, he will not have much to boast of at the end of the session.

**Mr. Grattan.**—"In respect to the House, I could wish to avoid personality, and return to the question; but I must request liberty to explain some circumstances alluded to by the Hon. Member; the Hon. Member has alluded to St. Christopher's bill; I will declare the fact—he may tell a story—when I received a copy of that bill, it gave me much pain and much offence; I thought I saw the old intention of binding Ireland by English laws; I therefore spoke to that effect in this house; I also shewed the bill to all the most able and virtuous men in this kingdom, who were of opinion that my suggestion was wrong; under this opinion I acquiesced, and the opinion has justified it: as to my coming at midnight to obtain a vote, imposing silence on the people, I deny it; it was misstated in the papers; my resolution was to declare this country free, and that any person who should speak or write to the contrary, was a public enemy. All the House, all the revered and respected characters in the kingdom, heard me, and know what I say is true. But it is not the slander of the bad tongue of a bad character that can defame me; I maintain my reputation in public and in private life; no man, who has not a bad character, can say I ever deceived him; no country has ever called me cheat. I will suppose a public character, a man not now in this House, but who formerly might have been here.—I will suppose it was his constant practice to abuse every man who differed from him, and to betray every man who trusted him; I will suppose him active, I will begin from his cradle, and divide his life into three stages; in the first he was intemperate, in the second corrupt, and in the third seditious.

"Suppose him a great egotist, his honour equal to his oath, and I will stop him, and say, "Sir, your talents are not so great as your life is infamous; you were silent for years, and you were silent for money: when affairs of consequence to the nation were debating, you might be seen passing by these doors like a guilty spirit, just waiting for the moment of putting the question, that you might hop in and give your venal vote; or, at times, with a vulgar brogue, apeing the manner, and affecting the infirmities of Lord Chatham; or like a kettle-drummer, lather yourself into popularity to catch the vulgar; or you might be seen hovering over the dome like an ill-omen'd bird of night with sepulchral notes, a cadaverous aspect, and broken beak, ready to stoop and pounce upon your prey—you can be trusted by no man—the people cannot trust you—the ministers cannot trust you—you deal out the most impartial treachery to both—you tell the nation it is ruined by other men, while it is sold by you—you fled from the embargo, you fled from the mutiny bill—you fled from the sugar bill.—I therefore tell you, in the face of your country, before all the world, and to your beard—you are not an honest man."

Both parties immediately left the House of Commons, but were prevented from terminating the contest in a duel, by being instantly put under arrest.

**Mr. GRATTAN**, in answer to a Pamphlet of **LORD CLARE's**, in 1800, when speaking of those who acted with him on these occasions with a magnanimity, the constant attendant of genius, thus speaks of his illustrious rival :

“ Mr. Flood, my rival, as the Pamphlet calls him, and I should be unworthy the character of his rival, if, in his grave, I did not do him justice,—he had his faults ; but he had great powers ; great public effect : he persuaded the old, he inspired the young ; the Castle vanished before him ; on a small subject he was miserable ; put into his hand a distaff, and, like Hercules, he made sad work of it ; but give him the thunderbolt, and he had the arm of Jupiter. —He misjudged, when he transferred himself to the English Parliament ; he forgot he was a tree of the forest, *too old* and *too great* to be transplanted at 50, and his seat in the British Parliament is a caution to the friends of union to stay *at home*, and make the country of their birth the seat of their action.”

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After the celebrated discussion of simple repeal, which divided the two great Orators of the Irish Parliament, **Mr. Flood** and **Mr. GRATTAN**, we shall find the latter gentleman in a state of comparative inactivity, until the vital question of the *commercial propositions* roused him from his slumber ; on which occasion our countryman resumed his station in Parliament, and resisted this insidious attempt to arrest from us that independence, which his talents had obtained for his country. The great events which took place at this period—the disarming of the Volunteers, the resistance of reform in Parliament—the corruption of the Castle, and the consequent alienation of the public mind, being so connected with the disastrous circumstances which created the rebellion of 1798, shall be detailed, when the Editor comes to that part of the proceedings of the Irish Parliament, in which **Mr. GRATTAN** is to be seen tracing the cause and denouncing the authors of that great national calamity.

## **ORDE'S**

### **COMMERCIAL PROPOSITIONS.**

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THE free trade, granted to the Irish nation, had produced none of those advantages, respecting which such sanguine and credulous expectations had been indulged. The manufacturers and lower classes of the people in general were exposed to all the evils arising from the extreme indigence; and it began to be clearly perceived, that while the present system of commercial intercourse with England subsisted, there was little prospect of a favourable change in the situation of Ireland. Its manufactures were in too impoverished a state, and were too long depressed, to spring at once into maturity, and could only be encouraged and matured by the protecting hand of Parliament. This protection was denied;



them; for while all English manufactures and commodities were imported at a trifling per centage, *ad valorem*, into the Irish ports, duties, amounting nearly to a prohibition, were imposed upon the produce and manufactures of Ireland into England, with one very important exception, that of linen. The general voice of the people now loudly called for *protecting duties*, in order to foster the infant manufactures of their country, and to compel the inhabitants to consume the products of native ingenuity and industry.

On the second of April, 1784, Mr. Gardiner, member for the county of Dublin, in an able speech depicted the distresses of the kingdom, traced the cause, and pointed out the remedy.—“Of what use will our free trade be, (said this eloquent member;) will it be any thing but a name, if we do not seize the advantages of it, by promoting it. It is impossible to do so, unless we have an opportunity of supplying our home consumption and exporting the redundancy;—It is impossible to undersell other nations in foreign markets if England undersells us in our own. Can we expect to cope with her who has the advantage of long established trade, of large capitals, and extensive credit? While our ports are open to the exportation of raw materials and the importation of British manufactures, can we expect

to reap any advantage from the extension of our commerce?" Mr. Gardiner, having entered into a long and argumentative detail, to prove the advantages England derived from protecting duties, thus proceeded:—"Having, on real matter of fact, shewn the progress and success of the manufactures of the two countries; having shewn how England has risen and Ireland declined; having shewn that her system of policy is the cause of her grandeur, permit me to draw your attention to the difference of situations. In England the poorest peasant is well clothed, feeds well, and is lodged comfortably. The face of the country presents a view of good habitations, and communicates an unspeakable pleasure to every man of humanity. I feel a warmth whenever I see and contemplate its beauty; but when I reflect on the misery of my own unhappy country that I left behind me, I sink on the comparison.—In England, all is joy, ease and content. It may be said, in the scripture-phrase, of that country, "the hills and vallies sing with joy."

"Let us now, for a moment, view the wretched condition of the miserable Irishman.—The Irishman, Sir, feeds the cattle whose flesh he is debarred from tasting: as to cloths, he has scarcely any: as to habitation, he has, perhaps,

some miserable hovel, whether an Englishman would not venture to turn his back; here, he, with an unhappy wife and wretched offspring, must endeavour to drag out existence, half starved, and half furnished with cold. What a distinction, alas! between beings of the same species. When, Sir, we thus view the different conditions of two people, it is natural to enquire into the cause of this difference.—Are Irishmen less fitted by nature to earn a livelihood than Englishmen? Is there any difference in their frames, to produce these very different effects? Are their constitutions worse, or their appetites greater? Is there any disadvantage in the nature of our climate, soil, or situation of our country, to prevent our prosperity? No! the climate of this country is delightful, the soil as rich and vegetative as any in the world, and our situation adapted for intercourse with both worlds. Thus, those who render our people idle, are the first to ridicule them for that idleness, and to ridicule them without cause.

“National characteristics are always unjust.—I am grieved, Sir, to hear those uncandid reflections thrown upon Irishmen: they are false as they are illiberal.—Irishmen have shewn spirit and genius in whatever they have undertaken. They have shewn that they can make great exertions

when they are encouraged; the difference of the cultivation of this country, from what it was before the laws for promoting agriculture, will evince the truth of my assertion. A great proportion of the inhabitants of this country, previous to these laws, lived on imported corn; but no sooner was encouragement held forth to the plough, than the national industry broke forth, and instead of importing, a large quantity was annually exported. This will ever remain a positive contradiction to the vague and ill-founded reflections on Irishmen. I will even go farther, and call on Gentlemen to specify one instance, where the people were indolent, *where the laws of our country protected them in their endeavours.*

“ Let us consider what has been done in respect to our Linens. Though we were compelled to yield an established manufacture, and apply ourselves to it, under the disadvantage of contending with a country that had arrived at great perfection, yet we prospered—And why? *Because we were not interfered with.* If this is not a proof of industry, I know not what may be called so. Whenever this country has been encouraged, it shewed great industry—witness our Linens, our Broad Stuffs, our Tabinets, our Poplins. How groundless, therefore, is the charge of indolence?

Even admitting the people of this country were indolent, instead of continuing to keep them in it, by continuing their oppressions, this House ought to remove that indolence. Something must be done to relieve the thousands, who now are famishing in your streets. The city of Dublin, with a degree of humanity that will ever do her honor, has hitherto succoured them by voluntary donations. But the donations of the city of Dublin will be found inadequate to the miseries of these poor men. It is the home consumption alone that gives spirit and money to the manufacturer: without money he cannot pay the men whom he employs; and that money is only to be had by home consumption.

“ Since, then, the remedies that have been applied, are ineffectual, let us now see what may be successful; and let us copy the conduct of England, of France, and other countries; that is, by protecting our manufacture at home.”

At the conclusion of this speech, Mr. Gardiner moved for a duty on Woollens imported into the kingdom. This, after a very warm debate, was negatived by a vast majority, and the whole system of Protecting Duties ridiculed, and reprobated, as futile, visionary, and pernicious.

At the failure of this attempt at relief, the

disappointment of the people kindled into rage; and such was the state of the metropolis at this period, that it was thought necessary to countermand the embarkation of several regiments destined for the East Indies, and to furnish the Garrison of Dublin, consisting of 4000 regular troops, with thirty rounds of powder and ball per man.—Before, however, the end of the Session, an Address was unanimously voted by the House of Commons to his Majesty, representing the distressed state of the kingdom, and praying for a more advantageous system of commerce between Ireland and Great Britain.

On the 14th of May, 1784, the Parliament was prorogued; and the last measure adopted by this assembly seemed, in some measure, to calm the violence of the people, and to suspend the effervescence of their anger and discontent.

Previous to the meeting of Parliament in January, the British Cabinet, in concert with Commissioners appointed on the part of Ireland, had formed a plan for regulating, and finally adjusting, the commercial intercourse between the two countries.

The Parliament of Ireland met on the 20th of Jan. 1785, when, among other matters, the Lord Lieutenant thus addressed them :

“I am to recommend, in the King’s name, to your earnest investigation, those objects of

trade and commerce between Great Britain and Ireland, which have not yet received their complete adjustment. In framing a plan, with a view to a final settlement, you will be sensible that the interest of Great Britain and Ireland ought to be for ever united and inseparable. And his Majesty relies on your liberality and wisdom, for adopting such an equitable system for the joint benefit of both countries, and the support of the common interest, as will secure mutual satisfaction and permanency.

On the 7th February, 1785, Mr. Orde, Secretary to the Lord Lieutenant, laid before the House, in a series of Propositions, the grand Commercial Regulations, digested, during the recess, into a regular system.\* There were two.

\* The following are the original propositions:

I. *Resolved*, "That it is the opinion of this committee, that it is highly important to the general interest of the British empire, that the trade between Great Britain and Ireland be encouraged, and extended as much as possible; and for that purpose, that the intercourse and commerce be finally settled and regulated on permanent and equitable principles, for the mutual benefit of both countries."

II. *Resolved*, "That towards carrying into full effect so desirable a settlement, it is fit and proper that all articles, not the growth or manufacture of Great Britain and Ireland, should be imported into either kingdom from each other reciprocally, under the same regulations, and at the same duties, if subject to duties, to which they are liable when imported directly from the place of their growth, produce, or manufacture; and that all duties originally paid on importation into

plans, obviously and radically different, on which a permanent arrangement might be formed, on

either country respectively, shall be fully drawn back on exportation to the other."

III. *Resolved*, "That for the same purpose, it is proper that no prohibition should exist in either country against the importation, use, or sale of any article, the growth, product, or manufacture of the other; and that the duty on the importation of every such article, if subject to duty in either country, should be precisely the same in one country as in the other, except where an addition may be necessary in either country, in consequence of an internal duty on any such article of its own consumption."

IV. *Resolved*, "That in all cases where the duties on articles of the growth, product, or manufactures of either country, are different on the importation into the other, it would be expedient that they should be reduced in the kingdom where they are the highest, to the amount payable in the other; and that all such articles should be exportable from the kingdom in which they shall be imported, as free from duty as the similar commodities or home manufacture of the same kingdom."

V. *Resolved*, "That for the same purpose it is also proper, that in all cases where either kingdom shall charge articles of its own consumption with an internal duty on the manufacture, or a duty on the material, the same manufacture, when imported from the other, may be charged with a farther duty on importation, to the same amount as the internal duty on the manufacture; or to an amount adequate to countervail the duty on the material; and shall be entitled to such draw-backs or bounties on exportation, as may leave the same, subject to no heavier burden than the home-made manufacture; such farther duty to continue so long only as the internal consumption shall be charged with the duty or duties, to balance which it shall be imposed, or until the manufacture coming from the other kingdom shall be subjected there to an equal burden, not drawn back or compensated on exportation."



the basis of equality. 1. A system of mutual prohibition. 2. A system of mutual admission.

**VI. Resolved,** "That in order to give permanency to the settlement now intended to be established, it is necessary that no prohibition, or new or additional duties, should be hereafter imposed in either kingdom, on the importation of any article of the growth, product, or manufactures of the other, except such additional duties as may be requisite to balance duties on internal consumption, pursuant to the foregoing resolution."

**VII. Resolved,** "That for the same purpose it is necessary farther that no prohibitions, or new or additional duties, should be hereafter imposed in either kingdom on the exportation of any article of native growth, product or manufacture, from thence to the other, except such as either kingdom may deem expedient from time to time, upon corn, meal, flour, and biscuits; and also, except where there now exists any prohibition which is not reciprocal, or any duty which is not equal in both kingdoms; in every which case the prohibition may be made reciprocal, or the duties raised so as to make them equal."

**VIII. Resolved.** "That for the same purpose it is necessary that no bounties whatsoever shall be paid or payable in either kingdom, on the exportation of any article to the other, except such as relate to corn, meal, malt, flour and biscuits, and such as are in the nature of drawbacks, or compensations for duties paid; and that no bounty should be granted in this kingdom on the exportation of any article imported from the British plantations, or any manufacture made of such article, unless in cases where a similar bounty is payable in Britain on exportation from thence, or where such bounty is merely in the nature of a drawback, or compensation of, or for duties paid, over and above any duties paid thereon in Britain."

**IX. Resolved,** "That it is expedient for the general benefit of the British empire, that the importation of articles from foreign states should be regulated from time to time in each kingdom, on such terms as may afford an effectual preference

The Propositions, moved by Mr. Orde, were in conformity to the latter, and beyond comparison the wiser of these two opposite systems. An arrangement founded on the basis of mutual prohibition; or, in more favourite and fashionable language, of *Protecting Duties*, would have been fatal to the great staple manufactory of Linens imported into England, not only duty free, but with the positive advantage of a bounty.

to the importation of similar articles of the growth, produce, or manufactures of the other."

X. *Resolved*, "That it is essential to the commercial interests of this country to prevent, as much as possible, an accumulation of national debt; and that therefore it is highly expedient that the annual revenues of this kingdom should be made equal to its annual expenses."

XI. *Resolved*, "That for the better protection of trade, whatever sum the gross hereditary revenue of this kingdom (after deducting all drawbacks, repayments or bounties, granted in the nature of drawbacks) shall produce, over and above the sum of 656,000*l.* in each year in peace, wherein the annual expense, and in each year of war, without regard to such equality, should be appropriated towards the support of the naval force of the empire, in such manner as the Parliament of this kingdom shall direct."

The Chancellor of the Exchequer, when proposing the tenth Resolution, declared, "that no one was a greater enemy to accumulating debt upon debt in times of peace than he was, and that this salutary proposition was made and inserted by the advice and assistance of a right hon. Gentleman (Mr. Grattan) to whom the nation is greatly indebted for his integrity, his abilities, and success in the public service; and gentlemen will see the effects of such a beneficial plan, which will at once prevent future debt, and insure future economy."

On the system of prohibition, Ireland would have been totally deprived of the colonial traffic; and the city of Cork, the emporium of the kingdom, and the grand mart of the West-Indian and victualling trade, would have been precipitated from the height of prosperity into the depth of distress and ruin. It would have amounted to a virtual declaration of national enmity and hostility; and there was good reason to fear, that Ireland would have sunk under the weight of so unequal and dangerous a competition—On the other hand, the system of amicable equalization was open to very plausible and even serious objections.—Such was the prodigious inferiority of Ireland in almost every branch of traffic, that were the high protecting duties repealed by England, there was little ground to hope that Ireland would, for many years to come, find herself materially or sensibly benefited. All these objections were urged with considerable force and ability by Mr. Flood, and other members in opposition; who declared that the greater object was now to be sacrificed to the less. With respect to the last Proposition, Mr. Brownlow thus expressed himself: “I am really astonished that any man should be bold enough to move such a proposition in this House, and I should hold myself a slave if I should tamely hear it made. Does the right

hon. Gentleman mean that we should become a tributary nation? Is this the boasted extension of our commerce? Is this the reciprocal advantages we are to enjoy?—Sir I reject the gift, I hurl it back with scorn; I never will consent to be a slave nor to pay tribute—I am ready to die rather than be a slave. Such propositions were formerly made to America, and we have seen their effect. Sir, it is well for the right honourable Gentleman that he is in a civilized country. Had he made such a proposition in a Polish Diet, he would not have lived to carry back an answer to his master. I will not say *Timeo Danos*. I am afraid of no man; I was born a free man, and, by the blessing of God, I will deliver the same freedom unimpaired to my children; I will not, and I trust no Irishman will reduce himself and become a tributary slave; for you may call it by what name you please, it will still be a tribute. I am willing to acknowledge the liberality of Great Britain, but never will consent to such terms as these.”

Notwithstanding these reasonings and invectives, the good sense and moderation of the House were well satisfied with the concessions made by England; so far surpassing what the most sanguine expectation a few years since would have ventured to indulge. The proposi-

tions were received, not only with approbation, but with joyful applause, and were ultimately ratified by a very decisive majority in the House. Of all the gentleman who ultimately opposed them, Mr. Grattan appears to have entertained the most favourable opinion of them in the first instance. "I am anxious to say a few words," says this enlightened Patriot, "both on the new resolutions and the plan. The resolutions I think absolutely indispensable. They have a three-fold principle. The first is, after the expenses of the nation are paid, to contribute to the general expense of the empire. The second is, that by making the surplus not applicable to the general expense, till all the expenses are paid, it interests both the British and Irish Minister in economy. The third is, to subject the surplus to the control of the Irish Parliament. If the other resolutions had not passed, these might still be supported. They put an end to debt; they decide the great question of 1753; they establish Irish economy; they make the British Minister a guarantee to the integrity of the House, and the economy of Irish administration. The plan is open, fair and just, and such as the British Minister can justify to both nations. He gave to England what she had a right to expect, and perhaps he could not give her more."

When all the resolutions had been agreed to, the Chancellor of the Exchequer moved for an address to his Majesty, expressive of their gratitude for his gracious recommendation of the plan to the consideration of the House, and of their sanguine hopes of the happy effect thereof. On the same day, 12th February, 1785, the resolutions and address were sent to the Lords, and unanimously agreed to. On the credit of the expected advantage, new taxes were granted, to the amount of 140,000*l.* annually.

On the 22d of this month, the eleven propositions agreed to by the House of Lords and Commons of Ireland, were read in a Committee of the British House of Commons; when Mr. Pitt opened the business, by calling upon the Committee to disembarass their minds of all bias and prepossession, which so much pains had been taken to create and diffuse throughout every part of the kingdom. On treating that important question, he would beg leave to recal their attention to what had been, and what was, the relative situation of the two countries. They would recollect, that from the revolution to a period within the memory of every one who heard him, and indeed till within these very few years, the system had been that of debarring Ireland from the enjoyment and use of her own resources,

and to make that kingdom completely subservient to the interests and opulence of this country, without suffering her to share in the bounties of nature, in the industry of her inhabitants, or making them contribute to the general interests and strength of the empire. This system was as harsh as it was unjust, and as impolitic as it was oppressive. For, however necessary it might have been to the partial benefit of districts in Britain, it promoted not the real prosperity and strength of the empire, but counteracted the kindness of Providence, and suspended the industry and enterprize of man. Ireland was placed under such restraints, that she was shut out from every species of commerce. She was restrained from sending the produce of her own soil to foreign markets, and all correspondence with the colonies of Britain was prohibited to her.—This was the system which prevailed, and this was the state of thralldom in which that country had been kept ever since the revolution.

Some relaxation of the system had indeed taken place at an early period of the present century. Somewhat more of the restrictive laws were abated in the reign of George II. But it was not till a time somewhat nearer to our own day, and indeed within these last seven years, that the system had been completely reversed.

Ireland having obtained an independent legislature; from the peculiar circumstances of the times, and from the more enlarged sentiments of the present age, commenced to export her produce and manufactures to all the markets of the world. England generously admitted her to a share of her colonies.—She gave her liberty to import directly, and to re-export to all the world, except to Britain, the produce of her colonies.—But to this moment no change had taken place in the intercourse between Great Britain and Ireland themselves. Some trivial points had indeed been changed, but no considerable change had taken place in our manufactures exported to Ireland, or in theirs imported to England.—That, therefore, which had been done, was still viewed by the people of Ireland as insufficient; and clamours were excited, and suggestions published, in Dublin and elsewhere, of putting duties on our produce and manufactures, under the name of Protecting Duties.—Having thus far relaxed from the system which had been maintained since the Revolution; having abandoned the commercial subserviency in which we so long persevered, and having so wisely and justly put them in a state in which they might cultivate and profit from the gifts of nature; having secured to them the advantages of their arts



and industry, we have abolished one system, and we have established another. But we have left the intercourse between the two countries exactly where it was, and which yet remained for legislative wisdom to arrange.

The Propositions, moved by Mr. Orde in the Irish Parliament, and ratified by that assembly, held out, he said, a system, liberal, beneficial, and permanent.—A great and generous effort was made by this country.—Our manufactures were so decidedly superior to theirs, that the immunities proposed would, for many years to come, be productive of little alteration.—It would require time for the acquisition both of capital and skill; and as these increased, the difference between the price of labour there and in this country would incessantly diminish. After all, there might, he admitted, be some branches of manufacture, in which Ireland might rival, and perhaps excel, England. But this ought not to give us pain. We must calculate from general and not from partial views. Above all, we should learn not to regard Ireland with an eye of jealousy: it required little philosophy to reconcile us to a competition, which would give us a rich customer instead of a poor one. The prosperity of the sister kingdom would be a fresh and inexhaustible source of opulence to us.

Such were the sentiments expressed by Mr. Pitt, on the commercial restraints imposed by Great Britain on Ireland, and such were the comprehensive and liberal views, which that great statesman exhibited in the English House of Commons, and which were received there with apparent tranquillity and acquiescence.—The vastness of the plan, and the multiplicity of the objects it embraced, seemed to keep the public mind in a kind of suspense; and for near a month no serious opposition appears to have been manifested.

On the 14th March, Mr. Eden moved that the Commissioners of Customs and Excise should be examined at the Bar of the House. The Manufacturers of Lancashire presented a Petition, praying to be heard by Counsel against the Bill; Petitions were presented from Liverpool, Manchester, and Glasgow: the malign spirit of commercial jealousy was at length thoroughly awakened, and petitions upon petitions were sent up to Parliament in incredible numbers, from every quarter of the kingdom.—It is highly honourable to the character of Mr. Pitt, that on no occasion did he ever speak with more warmth and zeal: yet, after a long and tedious investigation of facts, and examination of witnesses, he was compelled, reluctantly, in compliance with

the prejudices of the English Manufacturer, to make some material alterations in his original plan; and on the 15th May he forwarded a new series of Resolutions, twenty in number, so altered, modified, and enlarged, as to exhibit, in their new form, what might well be called a new system. On a comparative view of the two sets of Propositions, the magnitude and importance of the alterations strikingly appeared.\*

By the third of the new resolutions, Ireland was virtually interdicted, even after the expiration of the charter of the East-India Company, from exporting articles to England, the growth and produce of any of the countries beyond the Cape of Good Hope to the Straits of Magellan. By the same resolution, this interdiction was extended to Arrack and foreign Brandy, also to Rum and other strong Waters, not imported from the British Colonies in the West Indies. By the 4th, that whatever Navigation Laws the British Parliament shall hereafter find necessary to enact for the preservation of her Marine, the same shall be passed by the Legislature of Ireland. By the 5th, this legislative power of regulation and control was, in like manner, extended to all Goods and Commodities imported

\* For the new Propositions, see the Appendix.

into Ireland from the British and Foreign Colonies in Africa and America. By the 6th and 7th, the Commercial Intercourse between the two kingdoms was encumbered with many burdensome and rigorous regulations. By the 8th, the regulating power of Britain is extended to all goods exported from Ireland to the British Colonies in the West Indies, America, and the coast of Africa. By the 9th, Ireland is excluded, so long as the charter of the East-India Company shall exist, from trading to any port beyond the Cape of Good Hope to the Straits of Magellan; and during the continuance of the said charter, the goods of the growth, produce, or manufactures of India shall be allowed to be imported into Ireland but through Great Britain. By the 15th, the bounties allowed by Great Britain on the exportation of beer to Ireland, and spirits distilled from corn, are expressly continued. By the 16th, it is provided that all goods, the produce of the North-American States, which are subject to higher duties on importation into Great Britain, than the like goods the produce of the British Colonies, such articles shall be subject to the same duties on importation into Ireland.

These were the grand and leading features of difference between the old propositions and the new; and so great was the dissimilarity, that the

Irish Parliament, seemed scarcely to recognize the traces of their own original creation, when propounded to them on the 12th of August following. A general sentiment of amazement and indignation seemed to pervade the House at the developement of a scheme, calculated to restrict for ever the Irish Commerce; and the *fourth Resolution* in particular, by which England assumed a power of legislative regulation and commercial control with respect to Ireland, was rejected with a kind of horror.

After a vehement contest, which continued till nine in the morning, the motion of Secretary Orde, for leave to bring in a bill for the establishment of the commercial system contained in the new Propositions, passed in the affirmative, with a majority only of 19 voices, in a House consisting of 235 members.—Discouraged by the smallness of the Majority in the first stage of the business, the Secretary, on the 15th, having moved the reading and printing of the bill, declared his resolution of proceeding no further in the business during the present Session, and of leaving it to be renewed or neglected by the public. The popular joy, evinced by illuminations and every species of exultation, was excessive, at the failure of this plan, which was never afterwards revived in the Parliament of either kingdom.

Among the many able and eloquent speeches to which the discussion of this subject gave rise, the following one of Mr. GRATTAN stands forth pre-eminently conspicuous :

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*“ Mr. Speaker—*Sir, I can excuse the right honourable Member who moves you for leave to bring in the bill. He is an Englishman, and contends for the power of his own country, while I am contending for the liberty of mine; he might have spared himself the trouble of stating his own bill. I read it before, I read it in the twenty resolutions, I read it in the English bill, which is to all intents and purposes the same; and which he might read without the trouble of resorting to his own. His comment is of little moment; a Lord Lieutenant’s Secretary is an unsafe commentator on an Irish constitution; the former merit of the right honourable gentleman, in pressing for the original Propositions, and contending against the present, which he now supports, may have been very great, and I am willing to thank him for his past services; they may be a private consolation to himself. No more.—I differ from him in his account of this transaction. He was pledged to his eleven propositions; his offer was the propositions; ours the taxes; he

took the latter, but forgets the former. I leave both, and come to his system. Here it becomes necessary to go back a little.—I begin with your free trade obtained in 1779: By that you recovered your right to trade with every part of the world, whose ports were open to you, subject to your own unstipulated duties, the British plantations only excepted; by that you obtained the benefit of your insular situation, the benefit of your western situation, and the benefit of your exemption from intolerable taxes. What these advantages might be, no man could say; but any man who had seen the struggle you had made during a century of depression, could foresee, that a spirit of industry, operating upon a state of liberty in a young nation, must, in the course of time, produce signal advantages; the sea is like the earth, to non-exertion a waste, to industry a mine; this trade was accompanied with another, a plantation trade: in this, you retained your right to trade directly with the British plantations, directly in each and every other article, subject to the rate of British duty; by this, you obtained a right to select the article, so that the general trade should not hang on the special conformity; and by this, you did not covenant to affect, exclude, or postpone the produce of foreign plantations.—The reason was obvious; you demanded

two things, a free trade and a plantation trade; had the then Minister insisted on a covenant to exclude the produce of foreign plantations, he had given you a plantation trade instead of a free trade; (whereas your demand was both) and his grant had been inadequate, unsatisfactory, and inadmissible.—These points of trade being settled, a third, in the opinion of some, remained; namely, the intercourse with England, or the channel trade.—A successful political campaign, an unsuccessful harvest, the poverty of not a few, together with the example of England, brought forward, in the year 1783, a number of famishing manufacturers with a demand of protecting duties; the extent of their demand was idle, the manner of conveying that demand tumultuary; but not being wholly resisted, nor yet adequately assisted, they laid the foundation of another plan, which made its appearance in 1785, opposite, indeed, to their wishes, and fatal to their expectation; this was the system of reciprocity; a system fair in its principle, and in process of time likely to be beneficial, but not likely to be of any great present advantage, other than by stopping the growth of demand, allaying a commercial fever, and producing settlement and incorporation with the people of England; this system was founded on the only principle which could obtain between



and first, that part which relates to the *primum* of your manufactures. When the original Propositions were argued, gentlemen exclaimed, "England reserves her wool, and Ireland does not reserve her woollen yarn;" it was answered, "Ireland may if she pleases." What will those gentlemen now say, when England reserves both; —the *primum* of her manufactures, and of yours; and not only woollen yarn, but linen yarn, hides, &c.? To tell me that this exportation is beneficial to Ireland is to tell me nothing; the question is not about stopping the export, but giving up the regulation, in instances where England retains the power of regulation, and the act of prohibition. To tell me that this exportation is necessary for England, is to tell me nothing, but that you are material to England, and, therefore, should have obtained at least equal terms. I own, to assist the manufactures of Great Britain as far as is not absolutely inconsistent with those of Ireland is to me an object; but still the difference recurs; she is not content with voluntary accommodation on your part, but exacts perpetual export from you in the very article in which she retains absolute prohibition—no new prohibition—every prohibition beneficial to England was laid before—none in favour of Ireland. Ireland till 1779 was a province, and every province is a

victim; your provincial state ceased; but before the provincial regulations are done away, this arrangement establishes a principle of *uti possidetis*, that is, Great Britain shall retain all her advantages, and Ireland shall retain all her disadvantages. But I leave this part of the adjustment where reciprocity is disclaimed in the outset of treaty and the rudiment of manufacture; I come to instances of more striking inequality, and first, your situation in the East. You are to give a monopoly to the present or any future East-India Company during its existence, and to the British nation for ever after. It has been said that the Irishman in this is in the same situation as the Englishman, but there is this difference, the difference between having and not having the trade; the British Parliament has judged it most expedient for Great Britain to carry on her trade to the East, by an exclusive company; the Irish Parliament is now to determine it most expedient for Ireland to have no trade at all in these parts. This is not a surrender of the political rights of the constitution, but of the natural rights of man; not of the privileges of Parliament, but of the rights of nations,—not to sail beyond the Cape of Good Hope and the Straits of Magellan,—an awful interdict! Not only European settlements, but neutral countries excluded, and God's provi-

dence shut out in the most opulent boundaries of creation ; other interdicts go to particular places for local reasons, because they belong to certain European states ; but here are neutral regions forbidden, and a path prescribed to the Irishman on open sea. Other interdicts go to a determinate period of time, but here is an eternity of restraint ; you are to have no trade at all during the existence of any company, and no free trade to those countries after its expiration ; this resembles rather a judgment of God than an act of the Legislature, whether you measure it by immensity of space or infinity of duration, and has nothing human about it except its presumption.

“ What you lose by this surrender, what you forfeit by giving up the possibility of intercourse with so great a proportion of the inhabited globe, I cannot presume to say ; but this I can say, that gentlemen have no right to argue from present want of capital against future trade, nor to give up their capacity to trade, because they have not yet brought that capacity into action, still less they have a right to do so without the shadow of compensation, and least of all on the affected compensation which, trifling with your understanding as well as interest, suffers a vessel to go to the West, in its way to the East. I leave this uncompensated surrender—I leave your situation

in the East, which is blank—I leave your situation in the East, which is the surrender of trade itself; and I come to your situation in the West, which is a surrender of its freedom. You are to give a monopoly to the British plantations at their own taxes; before, you did so only in certain articles, with a power of selection, and then only as long as you pleased to conform to the condition, and without any stipulation to exclude foreign produce. It may be very proper to exclude foreign produce by your own temporary laws, and at your own free will and option, but now you are to covenant to do so for ever, and you give to the English, West as well as East, an eternal monopoly for their plantation produce, in the taxing and regulating of which you have no sort of deliberation or interference, and over which Great Britain has a complete supremacy. Here you will consider the advantage you receive from that monopoly, and judge how far it may be expedient to set up against yourselves that monopoly for ever; there is scarcely an article of the British plantation that is not out of all proportion dearer than the same article is in any other part of the globe, nor any other article that is not produced elsewhere, for some of which articles you might establish a mart for your manufactures. Portugal, for instance, capable of

being a better market for our drapery than Great Britain; this enormity of price is aggravated by an enormity of tax; what then is this covenant? to take these articles from the British plantations, and from none other, at the present high rates and taxes, and to take them at all times to come, subject to whatever further rates and taxes the Parliament of Great Britain shall enact. Let me ask you, why did you refuse Protecting Duties to your own people? Because they looked like a monopoly; and will you give to the East-India merchant, and the West-India planter, something more?—a monopoly where the monopolist is in some degree the law-giver.—The principle of equal duty or the same restriction is not the shadow of security; to make such a principle applicable to the objects must be equal, but here the objects are not only dissimilar but opposite; the condition of England is great debt and greater capital, great incumbrance, but still greater abilities; the condition of Ireland, little capital but a small debt, poverty but exemption from intolerable taxes. Equal burdens will have opposite effects, they will fund the debt of one country and destroy the trade of the other; high duties will take away your resource, which is exemption from them; but will be a fund for Great Britain: thus the colony principle in its

extent, is dangerous to a very great degree. Suppose Great Britain should raise her colony duties to a still greater degree, to answer the exigency of some future war, or to fund her present debt, you must follow; for by this bill you would have no option in foreign trade; you must follow, not because you wanted the tax, but lest your exemption from taxes should give your manufactures any comparative advantage. Irish taxes are to be precautions against the prosperity of Irish manufactures! You must follow, because your taxes here would be no longer measured by the wants of the country or the interest of her commerce, because we should have instituted a false measure of taxation; the wants and the riches of another country, which exceeds you much in wants, but infinitely more in riches. I fear we should have done more; we should have made English jealousy the barometer of Irish taxes.—Suppose this country should in any degree establish a direct trade with the British plantations; suppose the apprehensions of the British manufacturers in any degree realized, they may dictate your duties, they may petition the British Parliament to raise certain duties, which shall not affect the articles of their intercourse, but may stop yours; or, which shall affect the articles of their intercourse a little and annihilate yours; thus they may, by one and the

same duty, raise a revenue in England, and destroy a rival in Ireland. Camblets are an instance of the former, and every valuable plantation import an instance of the latter; your option in foreign trade had been a restraint on England, or a resource to Ireland; but under this adjustment you give up your foreign trade, and confine yourself to that which you must not presume to regulate. The exclusion of foreign plantation produce would seem sufficient, for every purpose of power and domination, but to aggravate, and it would seem, to insult, the independent States of North America are most ungraciously brought into this arrangement, as if Ireland was a British colony, or North America continued a part of the British dominion; by the resolutions almost all the produce of North America was to be imported to Ireland, subject to British duties; the bill is more moderate, and only enumerates certain articles; but what right has Great Britain to interfere in our foreign trade, what right has she to dictate to us on the subject of North-American trade? How far this country may be further affected by clogging her plantation trade and surrendering her free trade, I shall not for the present stop more minutely to inquire; but I must stop to protest against one circumstance in this arrangement, which should not ac-

company any arrangement, which would be fatal to settlement itself, and tear asunder the bands of faith and affection; the circumstance I mean, is the opening of the settlements of the colony trade, and free trade of 1770 : this adjustment takes from you the power of choosing the article, so that the whole covenant hangs on the special circumstance, and takes from you your option in the produce of foreign plantations, and even of America. It is a revision in peace of the settlements of war, it is a revocation in peace of the acquisition of war. I here ask by what authority? By what authority is Ireland obliged now to enter into a general account for past acquisitions? Did the petition of the manufacturers desire it? Did the addresses of the last Session desire it? Did the Minister in this Session suggest it? No; I call for authority, whereby we can be justified in waving the benefit of past treaties, and bringing the whole relative situation of this country into question in an arrangement, which only professes to settle her channel trade? I conceive the settlements of the last war are sacred; you may make other settlements with the British nation, but you will never make any so beneficial as these are; they were the result of a conjuncture miraculously formed, and fortunately seized. The American war was the Irish harvest. From that period, as from the



'lucky moment of your fate, your commerce, constitution, and mind, took form and vigour; and to that period, and to a first and salient principle must they recur for life and renovation.— It is therefore I consider those settlements as sacred, and from them I am naturally led to that part of the subject which relates to compensation, the payment which we are to make for the losses which we are to sustain; certainly compensation cannot apply to the free trade supposing it uninvaded, first, because that trade was your right; to pay for the recovery of what you should never have lost, had been to a great degree unjust and derogatory; secondly, because that free trade was established in 1779, and the settlement then closed and cannot be opened now; to do so were to destroy the faith of treaties, to make it idle to enter into the present settlement, and to render it vain to enter into any settlement with the British Minister. The same may be said of the colony trade; that too was settled in 1779, on terms then specified not now to be opened, clogged, conditioned or circumscribed; still less does compensation apply to the free constitution of 1782. His Majesty then informed you from the throne, "these things come unaccompanied with any stipulation;"—besides, the free constitution, like the free trade, was your

right. Freemen won't pay for the recovery of right; payment had derogated from the claim of right; so we then stated to Ministry. It was then thought that to have annexed subsidy to constitution had been a barren experiment on public poverty, and had married an illustrious experiment on the feelings of the nation, and had been neither satisfaction to Ireland, nor revenue to Great Britain. This bolder policy, this happy art, which saw how much may be got by tax, and how much must be left to honour, which made a bold push for the heart of the nation, and leaving her free to acquire, took a chance for her disposition to give, had its effect; for since that time until the present most unfortunate attempt, a great bulk of the community were on the side of Government, and the Parliamentary constitution was a guarantee for public peace.

"See then what you obtained without compensation, a colony trade, a free trade, the independency of your judges, the government of your army, the extension of the unconstitutional powers of your council, the restoration of the judicature of your Lords, and the independency of your legislature!

"See now what you obtain by compensation—a covenant not to trade beyond the Cape of Good Hope and the Straits of Magellan; a covenant

not to take foreign plantation produce, but as the Parliament of Great Britain shall permit; a covenant not to take British plantation produce, but as Great Britain shall prescribe; a covenant to make such acts of navigation as Great Britain shall prescribe; a covenant never to protect your own manufactures, never to guard the primum of those manufactures! These things are accompanied, I do acknowledge, with a covenant, on the part of England, to disarm your argument for protecting duties, to give the English language in the act of navigation the same construction in Ireland, and to leave our linen markets without molestation or diminution. One should think some God presided over the liberties of this country, who made it frugality in the Irish nation to continue free, but has annexed the penalties of fine as infamy to the surrender of the constitution! From this consideration of commerce, a question much more high, much more deep, the invaluable question of constitution, arises, in which the idea of protecting duties, the idea of reciprocal duties, of counter-vailing duties, and all that detail vanish, and the energies of every heart, and the prudence of every head, are called upon to shield this nation, that, long depressed, and at length by domestic virtue and foreign misfortune emancipated, has now to

defend her newly acquired rights and her justly acquired reputation ; the question is no less than that, which three years ago agitated, fired and exalted the Irish nation, the independency of the Irish Parliament ! By this bill we are to covenant that the Parliament of Ireland shall subscribe whatever laws the Parliament of England shall prescribe, respecting your trade with the British plantations, your trade in the produce of foreign plantations, and part of your trade from the United States of North America. There is also a sweeping covenant or condition, whereby we are to agree to subscribe whatever laws the Parliament of England shall prescribe respecting navigation ; the adjustment subjects also your reversionary trade to the East to the same terms ; over all these objects you are to have no propounding, no deliberative, no negative, no legislative power whatsoever. Here then is an end of your free trade and your free constitution ; I acquit the people of England ; an ill-grounded jealousy for their trade seems aggravated by a well-founded alarm for your liberty ; unwilling to relinquish, but when relinquished, too magnanimous and too wise to resume abdicated tyranny : they feel in these propositions an honourable solicitude for the freedom of Ireland, and the good faith of Great Britain, and see the

darling principles and passions of both countries wounded in an arrangement which was to compose them for ever: to a proposal therefore so little warranted by the great body of the people of England, so little expected by the people of Ireland, so little suggested by the minister, and so involving to whatever is dear to your interest, honour and freedom, I answer, No. I plead past settlements, I insist on the faith of nations; the objection should have been made when these settlements were making; but now the logic of empire comes too late; no accommodation, no deprecation on this subject: assertion, national assertion, national re-assertion! If, three years after the recovery of your freedom, you bend, your children, corrupted by your example, will surrender; but if you stand firm and inexorable, you make a seasonable impression on the people of England, you give a wholesome example to your children, you afford an awful instruction to his Majesty's ministers, and make (as the Old English did in the case of their charter) the attempt on Irish liberty, its confirmation and establishment!

“However lest certain glosses should seem to go unanswered, I shall, for the sake of argument, wave past settlements, and combat the reasoning of the English resolutions, the address, his Ma-

justice answer, and the reasoning of this day. It is here said, that the laws respecting commerce and navigation should be similar, and inferred, that Ireland should subscribe the laws of England on these subjects; that is, the same law, the same legislature; but this argument goes a great deal too far; it goes to the army, the mutiny bill should be the same; it was, endeavoured to be extended to the collection of your revenue, and is in train to be extended to your taxes; it goes to the extinction of the most invaluable part of your parliamentary capacity; it is an union, an incipient and a creeping union; a virtual union, establishing one will in the general concerns of commerce and navigation, and reposing that will in the Parliament of Great Britain; an union where our Parliament preserves its existence after it has lost its authority, and our people are to pay for a parliamentary establishment, without any proportion of parliamentary representation. In opposing the right honourable Gentleman's bill, I consider myself as opposing an union *in limine*, and that argument for union which makes similarity of law and community of interest (reason strong for the freedom of Ireland!) a pretence for a condition which would be dissimilarity of law, because extinction of constitution, and therefore hostility,

not community of interest; I ask on what experience is this argument founded?—Have you, ever since your redemption, refused to preserve a similarity of law in trade and navigation? Have you not followed Great Britain in all her changes of the act of navigation, during the whole of that unpalatable business, the American war? Have you not excluded the cheap produce of other plantations, in order that Irish poverty might give a monopoly to the dear produce of British colonies? Have you not made a better use of your liberty than Great Britain did of her power? But I have an objection to this argument, stronger even than its want of foundation; in reason and experiment; I hold it to be nothing less than an intolerance of the parliamentary constitution of Ireland, a declaration that the full and free external legislation of the Irish Parliament is incompatible with the British empire. I do acknowledge, that, by your external power, you might decompose the harmony of empire, and I add, that by your power over the press you might dissolve the State; but to the latter you owe your existence in the constitution, and to the former your authority and station in the empire; this argument, therefore, rests the connection upon a new and a false principle, goes directly against the root of Parliament, and is

not a difficulty to be accommodated, but an error to be eradicated; and if any body of men can still think that the Irish constitution is incompatible with the British empire, doctrine which I abjure as sedition against the connexion; but if any body of men are justified in thinking that the Irish constitution is incompatible with the British empire, perish the empire! live the constitution! Reduced by this false dilemma to take a part, my second wish is the British empire, my first wish and bounden duty is the liberty of Ireland; but we are told this imperial power is not only necessary for England, but safe for Ireland.

..66. What is the present question?—what but the abuse of this very power of regulating the trade of Ireland, by the British Parliament excluding you, and including herself by virtue of the same words, of the same act of navigation? And what was the provoking cause of this arrangement?—what but the power you are going to surrender, the distinct and independent external authority of the Irish Parliament, competent to question that misconstruction? What is the remedy now proposed?—the evil. Go back to the Parliament of England; I ask again, what were the difficulties in the way of your eleven propositions?—what but the jealousy of the



British manufacturers on the subject of trade? And will you make them year Parliament, and that too for ever, and that too on the subject of their jealousy, and in the moment they displayed it—safe! I will suppose that jealousy realized, that you rival them in some market abroad, and that they petition their parliament to impose a regulation which shall affect a tonnage which you have, and Great Britain has not; how would you then feel your situation, when you should be obliged to register all this? And how would you feel your degradation, when you should see your own manufacturers pass you by as a cypher in the constitution, and deprecate their ruin at the bar of a foreign Parliament—safe! Whence the American war? Whence the Irish restrictions? Whence the misconstruction of the act of navigation? Whence but from the evil of suffering one country to regulate the trade and navigation of another, and of instituting, under the idea of general protectoress, a proud domination, which sacrifices the interest of the whole to the ambition of a part, and arms the little passions of the monopolist with the sovereign potency of an Imperial Parliament; for great nations, when cursed with unnatural sway, follow but their nature when they invade; and human wisdom has not better provided for hu-

man safety, than by limiting the principles of human power. The surrender of legislature has been linked to cases that not unfrequently take place between two equal nations, covenanting to suspend, in particular cases, their respective legislative powers for mutual benefit; thus, Great Britain and Portugal agree to suspend their legislative power in favour of the wine of the one, and the woollen of the other; but if Portugal had gone farther, and agreed to subscribe the laws of England, and this covenant had not been a treaty, but conquest; so Great Britain and Ireland may covenant not to raise high duties on each other's manufactures; but if Ireland goes farther, and covenants to subscribe British law, this is not a mutual suspension of the exercise of legislative power, but a transfer of the power itself from one country to another, to be exercised by another hand; such covenant is not reciprocity of trade; it is a surrender of the government of your trade, inequality of trade, and inequality of constitution. I speak, however, as if such transfer could take place, but in fact it could not; any arrangement so covenanting is a mere nullity; it could not bind you, still less could it bind your successors; for a man is not omnipotent over himself, neither are your Parliaments omnipotent over themselves, to accomplish their

own destruction, and propagate death to their successors; there is in these cases a superior relationship to our respective creators—God—the community, which in the instance of the individual, arrests the hand of suicide, and in that of the political body, stops the act of surrender, and makes man the means of propagation, and Parliament the organ to continue liberty, not the engine to destroy it. However, though the surrender is void, there are two ways of attempting it; one by a surrender in form, the other by a surrender in substance; appointing another Parliament your substitute, and consenting to be its register or stamp, by virtue of which to introduce the law and edict of another land; to cloath with the forms of your law, foreign deliberations, and to preside over the disgraceful ceremony of your own abdicated authority; both methods are equally surrenders, and both are wholly void. I speak on principle, the principle on which you stand—your creation. We, the limited trustees of the delegated power, born for a particular purpose, limited to a particular time, and bearing an inviolable relationship to the people who sent us to Parliament, cannot break that relationship, counteract that purpose, surrender, diminish, or derogate from those privileges we breathe but to preserve. Could the

Parliament of England covenant to subscribe your laws? Could she covenant that Young Ireland should command, and Old England should obey? If such a proposal to England were mockery, to Ireland it cannot be constitution. I rest on authority as well as principle, the authority on which the Revolution rests.—Mr. Locke, who, in his chapter on the abolition of government, says, that the transfer of legislative power is the abolition of the state, not a transfer. Thus I may congratulate this House and myself, that it is one of the blessings of the British constitution, that it cannot perish of rapid mortality, nor die in a day, like the men who should protect her; any act that would destroy the liberty of the people, is dead born from the womb; men may put down the public cause for a season; but another year would see old Constitution advance the honours of his head, and the good institution of Parliament shaking off the tomb to re-ascend, in all its pomp and pride, and plenitude and privilege!

“Sir, I have stated these Propositions and the Bill as a mere transfer of external legislative authority to the Parliament of Great Britain, but I have understated their mischief; they go to taxation, taxes on the trade with the British plantations, taxes on the produce of foreign plantations,

taxes on some of the produce of the United States of North America; they go to port duties, such as Great Britain laid on America! The mode is varied, but the principle is the same. Here Great Britain takes the stamp of the Irish Parliament; Great Britain is to prescribe, and Ireland is to obey! We anticipate the rape by previous surrender, and throw into the scale our honour, as well as our liberty. Do not imagine that all these resolutions are mere acts of regulation; they are solid substantial revenue, great part of your additional duty. I allow the Bill excepts rum and tobacco; but the principle is retained, and the operation of it only kept back. I have stated that Great Britain may by these Propositions crush your commerce, but shall be told that the commercial jealousy of Great Britain is at an end.— But are her wants at an end? are her wishes for Irish subsidy at an end? No; and may be gratified by laying colony duties on herself, and so raising on Ireland an imperial revenue to be subscribed by our Parliament, without the consent of our Parliament, and in despite of our people. Or if a Minister should please to turn himself to a general excise, if wishing to relieve from the weight of further additional duties the hereditary revenue now alienated, if wishing to relieve the alarms of the English manufacturers, who com,

plain of our exemption from excises, particularly on soap, candles, and leather, he should proceed on these already registered articles of taxation; he might tax you by threats, suggesting that if you refuse to raise an excise on yourself, England will raise colony duties on both. See what a mighty instrument of coercion this bill and these resolutions! Stir, and the Minister can crush you, in the name of Great Britain; he can crush your imports; he can crush your exports; he can do this in a manner peculiarly mortifying, by virtue of a clause in a British Act of Parliament, that would seem to impose the same restrictions on Great Britain; he can do this in a manner still more offensive, by the immediate means of your own Parliament, who would be then an active cypher, and notorious stamp, in the hands of Great Britain, to forge and falsify the name and authority of the people of Ireland. I have considered your situation under these Propositions with respect to Great Britain: see what would be your situation with respect to the Crown: You would have granted to the king a perpetual money bill, or a money bill, to continue as long as the Parliament of Great Britain shall please, with a covenant to increase it as often as the British Parliament shall please. By the resolutions, a great part of the additional duty would have been so

granted ; the trade of the country is made dependant on the Parliament of Great Britain, and the Crown is made less dependant of the Parliament of Ireland, and a code of prerogative added to a code of empire. If the merchant, after this, should petition you to lower your duties on the articles of trade, your answer, "trade is in covenant." If your constituents should instruct you to limit the bill of supply, or pass a short money bill, your answer, "the purse of the nation, like her trade, is in covenant." No more of six months money bills ; no more of instructions from constituents ; that connection is broken by this bill ; pass this, you have no constituent—you are not the representative of the people of Ireland, but the register of the British Parliament, and the equalizer of British duties !

"In order to complete this chain of power, one link (I do acknowledge) was wanting, a perpetual revenue bill, or a covenant from time to time to renew the bill for the collection thereof. The twentieth resolution, and this bill founded upon it, attain that object. Sir, this House rests on three pillars—your power over the annual mutiny bill ; your power over the annual additional duties ; your power over the collection of the revenue.—The latter power is of great consequence, because a great part of our revenues are granted for ever,

Your ancestors were slaves; and for their estates, that is, for the act of settlement granted the hereditary revenue, and from that moment ceased to be a Parliament; nor was it till many years after that Parliament revived; but it revived as you under this bill would continue; without Parliamentary power: every evil measure derived argument, energy and essence from this unconstitutional fund. If a country gentleman complained of the expenses of the Crown, he was told a frugal government could go on without a Parliament, and that he held our existence by withholding the discharge of our duty. However, though the funds were granted for ever, the provision for the collection was inadequate; the smuggler learned to evade the penalties, and Parliament, though not necessary for granting the hereditary revenue, became necessary for its collection. Here then we rest on three pillars: the annual mutiny bill, the annual additional supply, and the annual collection of the revenue. If you remove all these, this fabric falls; remove any one of them, and it totters; for it is not the mace, nor the chair, nor this dome, but the deliberate voice resident therein, that constitutes the essence of Parliament. Clog your deliberations, and you are no longer a Parliament,



with a thousand gaudy surviving circumstances of shew and authority.

“Contemplate for a moment the powers this bill presumes to perpetuate; a perpetual repeal of trial by jury; a perpetual repeal of the great charter; a perpetual writ of assistance; a perpetual felony to strike an exciseman!

“The late Chief Baron Burgh, speaking on the revenue bill, exclaimed, “You give to the dipping rule, what you should deny to the sceptre.”

“All the unconstitutional powers of the excise we are to perpetuate, the constitutional powers of Parliament we are to abdicate. Can we do all this? Can we make these bulky surrenders, in diminution of the power, in derogation of the pride of Parliament, and in violation of those eternal relationships, which the body that represents should bear to the community which constitutes?

“The pretence given for this unconstitutional idea is weak indeed; that as the benefits are permanent, so should be the compensation. But trade laws are to follow their nature, revenue laws to follow their's. On the permanent nature of commercial advantages depends the faith of trade, on the limited nature of revenue laws depends the existence of Parliament; but the error of the argument arises from the vice of deal-

ing. It is a market for a constitution, and a logic, applicable to barter only, is applied to freedom. To qualify this dereliction of every principle and power, the surrender is made constitutional; that is, the British market for the Irish constitution, the shadow of a market for the substance of a constitution! You are to reserve an option, trade or liberty; if you mean to come to the British market, you must pass under the British yoke. I object to this principle in every shape, whether you are, as the resolution was first worded, directly to transfer legislative power to the British Parliament; whether, as it was afterwards altered, you are to covenant to subscribe her acts; or whether, as it is now softened, you are to take the chance of the British market, so long as you wave the blessings of the British constitution—terms dishonourable, derogatory, incapable of forming the foundation of any fair and friendly settlement, injurious to the political morality of the nation. I would not harbour a slavish principle, nor give it the hospitality of a night's lodging in a land of liberty! Slavery is like any other vice, tolerate and you embrace; you should guard your constitution by settled maxims of honour, as well as wholesome rules of law; and one maxim should be, never to tolerate a condition which trenches on the privilege

of Parliament, or derogates from the pride of the island. Liberal in matters of revenue, practical in matters of commerce; on these subjects I would be inexorable; if the genius of Old England came to that bar, with the British constitution in one hand, and in the other an offer of all that England retains, or all that she has lost of commerce, I should turn my back on the latter, and pay my obeisance to the blessings of her constitution; for that constitution will give you commerce, and it was the loss of that constitution that deprived you of commerce. Why are you not now a woollen country? because another country regulated your trade. Why are you not now a country of re-export? because another country regulated your navigation. I oppose the original terms as slavish, and I oppose the conditional clause as an artful way of introducing slavery, of soothing an high-spirited nation into submission by the ignominious delusion that she may shake off the yoke when she pleases, and once more become a free people. The direct unconstitutional proposition could not have been listened to, and therefore resort is had to the only possible chance of destroying the liberty of the people, by holding up the bright reversion of the British constitution, and the speculation of future liberty, as a consolation for

the present submission. But would any gentleman, here wear a livery to-night, because he might lay it aside in the morning? or would this House substitute another, because next year it might resume its authority, and once more become the Parliament of Ireland? I do not believe we shall get the British, but I do not want to make an experiment on the British market, by making an experiment likewise on the constitution and spirit of the people of Ireland. But do not imagine, if you shall yield for a year, you will get so easily clear of this inglorious experiment; if this is not the British market, why accept the adjustment? and if it is, the benefit thereof may take away your deliberative voice. You will be bribed out of your constitution by your commerce: there are two ways of taking away free will, the one by direct compulsion, the other by establishing a propellent motive. Thus a servant of the Crown may lose his free will, when he is to give his vote at the hazard of his office, and thus a Parliament would lose its free will, if it acted under a conviction that it exercised its deliberative function at the risk of its commerce. No one question would stand upon its own legs, but each question would involve every consideration of trade, and indeed the whole relative situation of the two countries.—

And I beseech you to consider that situation, and contemplate the powers of your own country, before you agree to surrender them. Recollect that you have now a right to trade with the British plantations, in certain articles; without reference to British duties; that you have a right to trade with the British plantations in every other article, subject to the British duties; that you have a right to get clear of each and of every part of that bargain; that you have a right to take the produce of foreign plantations, subject to your own unstipulated duties; that you have a right to carry on a free and unqualified trade with the United States of North America; that you have a right to carry on an experimental trade in countries contiguous to which Great Britain has established her monopolies; the power of trade this, and an instrument of power, and station and authority in the British empire! Consider that you have likewise a right to the exclusive supply of your own market, and to the exclusive reserve of the rudiment of your manufactures. That you have an absolute dominion over the public purse and over the collection of the revenue. If you ask me how you shall use these powers, I say for Ireland, with due regard to the British nation, let them be governed by the spirit of concord, and with fidelity to the connex-

ion; but when the mover of the bill asks me to surrender these powers, I am astonished at him. I have neither ears, nor eyes, nor functions to make such a sacrifice. What! that free trade for which we exerted every nerve in 1779; that free constitution for which we pledged life and fortune in 1782! Our lives are at the service of the empire; but—our liberties! No—we received them from our Father, which is in Heaven; and we will hand them down to our children. But if gentlemen can entertain a doubt of the mischief of these propositions, are they convinced of their safety? the safety of giving up the government of your trade? No! the mischief is prominent, but the advantage is of a most enigmatical nature. Have gentlemen considered the subject, have they traced even the map of the countries, the power or freedom of trading with whom they are to surrender for ever? Have they traced the map of Asia, Africa, and America? Do they know the French, Dutch, Portuguese, and Spanish settlements? Do they know the neutral powers of those countries, their produce, aptitudes and dispositions? Have they considered the state of North America? *its present state, future growth, and every opportunity in the endless succession of time attending that nurse of commerce and asylum of mankind?* Are they

now competent to declare, on the part of themselves and all their posterity, that a free trade to those regions will never, in the efflux of time, be of any service to the kingdom of Ireland? If they have information on this subject, it must be by a communication with God, for they have none with man: it must be inspiration, for it cannot be knowledge. In such circumstances, to subscribe this agreement, without knowledge, without even the affectation of knowledge, when Great Britain, with all her experience and every means of information from East Indies, West Indies, America, and with the official knowledge of Ireland at her feet, has taken six months to deliberate, and has now produced twenty resolutions, with an history to each, amounting to a code of empire, not a system of commerce: I say, in such circumstances, for Ireland to subscribe this agreement, would be infatuation; an infatuation to which the nation could not be a party, but would appear to be concluded, or indeed huddled, with all her posterity into a fallacious arrangement, by the influence of the Crown, without the deliberation of Parliament, or the consent of the people! This would appear the more inexcusable, because we are not driven to it; adjustment is not indispensable; the great points have been carried! An inferior question about

the home market has been started, and a commercial fever artificially raised; but while the great points remain undisturbed, the nations cannot be committed; the manufacturers applied for protecting duties, and have failed; the minister offered a system of reciprocity, and succeeded in Ireland, but has failed in England; he makes you another offer, inconsistent with the former, which offer the English do not support and the Irish deprecate.

"We can go on; we have a growing prosperity, and as yet an exemption from intolerable taxes; we can from time to time regulate our own commerce, cherish our manufactures, keep down our taxes, and bring on our people, and brood over the growing prosperity of Young Ireland. In the mean time we will guard our free trade and free constitution, as our only real resources; they were the struggles of great virtue, the result of much perseverance, and our broad base of public action! We should recollect that this House may now, with peculiar propriety, interpose, because you did, with great zeal and success, on this very subject of trade, bring on the people, and you did, with great prudence and moderation, on another occasion, check a certain description of the people, and you are now called upon by consistency to defend the people. Thus mediating



between extremes, you will preserve this island long, and preserve her with a certain degree of renown. Thus faithful to the constitution of the country, you will command and insure her tranquillity ; for our best authority with the people is, protection afforded against the ministers of the Crown. It is not public clamour but public injury that should alarm you ; your high ground of expostulation with your fellow subjects has been your services ; the free trade you have given the merchant, and the free constitution you have given the island ! Make your third great effort ; preserve them, and with them preserve unaltered your own calm sense of public right, the dignity of the Parliament, the majesty of the people, and the powers of the island ! Keep them unsullied, uncovenanted, uncircumscribed, and unstipendiary ! These paths are the paths to glory ; and let me add, these ways are the ways of peace : so shall the prosperity of your country, though without a tongue to thank you, yet laden with the blessings of constitution and of commerce, bear attestation to your services, and wait on your progress with involuntary praise !”

## NATIONAL ECONOMY.

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ON the 9th of February, 1786, Mr. Thomas Connolly, of Castletown, the first Irish Commoner, brought forward the two following most important resolutions:

The first resolution—"That this House did, in the last Session, grant certain new taxes, estimated at 140,000*l.* per annum, for the purpose of putting an end to the accumulation of debt."

The second—"That should the said taxes be continued, it is absolutely necessary that the expenses of the nation should be confined to the annual income."

Few questions were ever discussed in the Irish Parliament, on which its character so much depended, as those very important resolutions submitted by Mr. Connolly to its consideration.

In the Session of 1785, hopes were held out to the nation, that such an arrangement would be grounded upon the celebrated *eleven* Commercial Propositions, as would enable it to bear the burden of increased taxation with ease and convenience—that trade would be so extended—the resources of the country so enlarged—its con-

dition in every respect so ameliorated—the additional taxation of 140,000*l.* per annum would, without distressing the people, have the happy effect of *equalizing* the expenses of the nation to its revenues.—The eleven Propositions, which had so elevated the hopes of Ireland, had equally alarmed the jealousy and intolerance of the English merchants; and an universal clamour having been raised against them by ignorance and political intrigue, the Minister was obliged to abandon a system which promised so much immediate relief to Ireland, and such certain, though more remote, advantages to England.—In the place of those eleven Propositions, of which all parties approved—which gave satisfaction to the boldest assertor of Irish freedom, the Minister of England was compelled to substitute *one* which calmed and appeased the irritated feelings of Englishmen, while it outraged and insulted the pride and independence of Ireland.—This plan of Commercial adjustment, agreed to by the British Parliament, was sent over to Ireland for adoption or rejection by the Parliament of the latter;—this Parliament, after a most able discussion of its merits, and an unparalleled display of eloquence by the patriots of that day, rejected the twenty propositions which contained this *new* system, with indignation and contempt.

The same incapacity to bear heavy taxation existed in 1786, as was experienced in 1794; and the opposition, at the head of which stood Mr. Connolly, conceived that half the promised advantages of increased trade, flowing from the operation of the original eleven Propositions, could not be realized; that the next duty of Parliament should be to economize the public expenditure as much as possible, thereby to compensate in some degree the loss of trade, and to enable the nation to bear up against the additional taxation, which had been granted in the hope of its enjoyment.—In the last Session of the Irish Parliament, a resolution passed, containing the principle, “that the annual revenue ought to be *equalized* to the annual expenditure—a principle *ruinous* to the commercial and landed interest, unless followed up by the reciprocal principle “that the annual expenditure ought to be *confined* to the annual revenue;” thus making the obligation *mutual* on the Minister and the Country.—To meet this principle, Mr. Connolly proposed his second resolution. The Secretary and Chancellor of the Exchequer complained, that the object of the resolution was to bind up the hands of Government—to disable them from providing against any emergencies which might happen to arise—it deprived the

Crown of that degree of discretion with which the constitution had invested it, and which is necessary for the safety and honour of Administration—it enjoined *that* in all times, and under all circumstances, whether of foreign attack or of domestic disturbance—whether the revenue should rise or fall—*that* in all events the Crown should be bound, by the admonition of Parliament, not to exceed the annual income of the nation.—This, say the opponents of the resolution, never was attempted by the Parliament of England—*that*, on the contrary, from 1774 to 1780, session after session, the Minister had a vote of credit of one million, to enable him to provide for such emergencies—*that* by such vote the English Minister was enabled to send to Ireland a great sum of money, to provide for her unforeseen emergencies, and at a period too when the Irish Exchequer was exhausted—*that* such a resolution tied up the hands of Government from giving bounties to encourage industry, and to promote the prosperity of the country—*that* a Government which could not be trusted, or whose power the Parliament would be obliged to circumscribe with such a resolution, should not be suffered to exist—*that* the resolution (according to the special pleaders for the Crown) was an imperfect one—*that* it was so worded, as

to give to any Administration the opportunity of rendering it nugatory and inefficient—for, says the Minister, examine the wording—"So long as the taxes of last year shall be continued, the expenses of the nation shall not exceed the revenue."—"What is the necessary deduction?" exclaimed Lord Clare.—"Why, so soon as one of those taxes shall be withdrawn, the Government may set off in the old career of profusion and extravagance—give us up the new taxes, and you may accumulate debt as fast as you please." To this reasoning, impertinent and sophistical as it must appear to every reflecting mind, Mr. Grattan replied, with his usual logical precision, and peculiar sagacity ;—to the specious and wily quibbles of the special pleader, we see him oppose the integrity and wisdom of the statesman. —The profusion and extravagance, which it was the object of Mr. Connolly's motion to prevent, and which Mr. Grattan told the nation would follow from its rejection, soon after deluged every branch of the Administration, and generated that fatal corruption and debility, which terminated in the destruction of the independent spirit of the landed interest, and the necessary extinction of Irish freedom.

Mr. GRATTAN spoke to the following effect :

“ *Mr. Speaker*—Sir, the motion before you is very near a self-evident proposition—that a nation, after a great exertion to raise her revenues, ought not to exceed them.—I differ from these gentlemen who deny that the new taxes were granted in consideration of commercial advantages; commerce was held forth the last Session as one of the compensations; to stop the progress of debt, was the other; but if any man doubts whether commercial advantages were in contemplation of the new taxes, look to the eleven resolutions, and let the record determine; there you will find the resolution for the taxes a part of the new system of commerce; the new taxes there evidently appear to have been asked on the credit of new commercial advantages, which were supposed likely to generate a new ability to bear them; and as a further inducement, these taxes were also recommended by the stipulation of putting a stop to the further accumulation of debt.

“ Here then were held out two compensations, trade and economy; neither were to exist in promise, but both were to form part of your laws: accordingly, by the eleventh proposition, the surplus of hereditary revenue was to make up

home deficiency, before it could be applied to the navy of Great Britain; and the English Minister could not obtain Irish money, unless he became an Irish economist!—Here was a self-operative principle of economy established, not in confidence, but in law; this was the idea of the resolutions; and even the commercial bill, which does in some measure betray that idea, does stipulate for economy, and provides that this House should in future proceed by estimate, and that when Government exceeded, the excess should fall on the English fund. Thus the new taxes were to be accompanied with two compensations, trade and economy; the first compensation is withdrawn. I do not inquire now whether the bill of the right honourable member was good or bad. I continue to think it execrable—but certainly it was not the condition held out, or the trade that was offered in the original propositions: You have lost one compensation, the trade; and the question is now, whether you will lose the other, economy? When gentlemen agreed to the first resolution this night proposed, that it was necessary to stop the further accumulation of debt, I suppose them to have been sincere; that they meant it not as a vile excuse for granting new taxes, but as the principle of the grant. I enter into the spirit of that principle, and affirm



that the best method of securing its operation is to vote the second resolution. For the mere and unqualified increase of taxes, does not prevent, but rather encourages, the growth of debt, for it encourages the growth of expense; it is an amnesty to past, and a spur to future profusion; as if a father should say to his son—I will pay all your extravagance, by way of discouragement.—This general observation applies to this country with peculiar force, because in this country there are peculiar causes of extravagance.

“You have two Administrations, that of Ireland, and that of Great Britain; and of course a double patronage, and a two-fold authority to load your establishment; moreover, you have no appropriation of funds, in Ireland, as there is in Great Britain; and not having a special, you should surely have a general limitation;—again, we have no Irish cabinet—individuals may deprecate, may dissuade, but they cannot enforce their principles—there is no embodied authority in Ireland.

“Again, your government constantly fluctuates; your Viceroys change every day—men of different parties and different principles, faithful to private engagement, but not bound to any uniform public system; again, you have no decided responsibility in Ireland—the objects of

your request might not be easily found ; in short, you have in this country the misfortune of a double administration, a double importunity, a fluctuating government, and a fugacious responsibility.

“ But, if you have any doubt, whether under these particular circumstances, the mere supply or growth of tax will prevent the growth of debt, turn to history.—I have heard of a nation in a situation similar to your’s at this very period, a nation, who, wearied and exhausted by a disgraceful accumulation of debt in profound peace, determined to put an end to the pernicious practice, paid off all her arrears, and raised her taxes to the estimate of her expenses ; but forgot one precaution, the precaution of checking the growth of expense, as one essential means of stopping the further accumulation of debt.—Behold the consequence ! In eleven years she doubled her debt, and multiplied all her expenses.—You are that nation.—You did, in 1778, agree to put an end to the pernicious practice of running in debt ; you paid off five half years’ arrears to answer that end ; you raised your taxes above 100,000*l.* a year to answer that end, and you took the Minister’s word for the further securing that object ; and accordingly you have since that time doubled your debt, and you

have besides borrowed above 700,000*l.* in life annuities, and you have likewise added more to your expenses than the estimated amount of the new taxes.

“Figures are irksome to this House—I shall therefore present you with a picture of your race of expense; behold the map of your policy delineated by a very ingenious man, with talents and accuracy.

“See the chart of your credit, an evanescent speck just rising above the plane of the horizon, and then it drops; while your debt ascends like a pyramid, with an audacious defalcation, and almost culminates in your meridian.—Midway of this mountain of debt, you will discern a line marking your effort to put an end to the practice of running in debt.—It is not necessary for a man to read, it is sufficient for him to see, in order to refute the honorable and right honorable gentlemen on this subject.

“From this experience then, as well as from general principles, I would infer, that if you mean to stop the growth of debt, it is necessary to stop the growth of expense. It has been said, this is making a covenant with Government to live within its income. I say it is so; and I add, that a nation giving to her government 140,000*l.* new taxes, has a right to insist on such a cove-

nant.—Talk as you please, she approaches you, on this occasion, with the authority and superiority of a creditor and benefactor—she is not reduced to supplicate, but warranted to demand economy.

“ Government made her own estimate of revenue and of expense; the nation left both to her discretion—say what you want, and you shall have it; but when you have got it, live upon it;—the commercial interest of this country is to be advanced; let us on that encouragement meet at once our domestic difficulties—a generous country pardons past profusion—come to an account with her—state your wants, and state your taxes. This was the idea of the Parliament; and the question now is, whether Government is to be limited by all the revenues she held, to be sufficient for all the expenses she held; to be necessary, in short, whether in ordinary years, there shall be, in the kingdom of Ireland, any such thing as limitation at all, in the management of the public purse? To so plain a principle of political salvation; to a principle so particularly applicable to a nation, governed by Viceroy from another country—a principle rendered so necessary by the habits of importunity—a principle enforced by the experience of every year's debt, and admitted by the inward conviction

of every man who hears me, what objection is made? What bar can you suppose is advanced? Would you believe it? Could any man conceive it? The objection is, that no one Lord Lieutenant can bind or answer for his successors! Here is admitted that very jargon, that very disarrangement of council, that very irresponsibility of Government, which we all lament, and on which gentlemen on the other side rely, and demand of you, for that very reason, to entrust the purse of the public to the faith of this discordancy of succession. We are not to impose restrictions by Parliament, because we cannot rely on the continuance or uniformity of the councils of Government. To private engagements, however expensive, faithful indeed! but with regard to public maxims, transient! Here is their argument! The infirmity of our situation, which should induce your caution, is gravely urged as the infallible argument against your interference. Strange as this argument is, it yields in extravagance to another grave objection, which immediately followed it; an objection which affirmed that you ought not to limit your Government in its income, because its expenses must rise.—The very evil itself, the thing we dread! We fear their expenses will rise—we fear the increase of your taxes will encourage those ex-

penses—we apprehend that Government will not meet us half-way, so that economy on their side, may aid the new grants on your's, and secure us against the growth of future taxes, and future debts. To quiet these fears, we are told, in perfect seriousness, that our expenses must increase.—You need not be afraid, you may be certain of the danger.—This argument, which threatened us with an increase of our expense, is attended with another, which threatens with the decrease of our revenue. What a strange image must these gentlemen have of the possible state of this country! And what a much more strange provision do they make for such a conjuncture! Your expenses must increase, and your revenue may fail; and in contemplation of such an event, you ought not to limit your expenditure to your income. Eventful inability is urged as an argument against restraining the growth of your imbursements, and the possible diminution of your expense. However, Sir, this prophecy, I imagine, has but little foundation, no more than the argument gentlemen construct upon it—the revenue of this country must rise.—You have taken care of that by your new grants—the wealth of this country must increase—nothing can prevent the growth of her riches, but the growth of her taxes. I would ask those gentle-

men, who ~~omen~~ the decrease of your revenues, was it not themselves who made the estimates, both of revenues and expenses? And when pressed to limit themselves to their own estimates, do they not now gravely tell us, that you cannot depend on either: It seems they rest the strength of their argument on the ruins of the credit of their estimates, in direct contradiction to this argument. But in opposition to this resolution, the same gentlemen, with the same conviction, affirm that the wealth of this country will increase most exceedingly. Here the prospect changes, for the sake of the argument; and instead of a declining, you are represented as a prosperous and rising state; your manufactures are to increase most exceedingly; but then your bounties are to increase also, and your revenues, by such a deduct, are to fall. Gentlemen won't see that the increase of manufactures, the increase of export and of wealth, must have a general operation; and if they add to the charge of your bounties, must in a much greater proportion add to the revenues. No, no, say gentlemen, the increase of manufactures, the general sale of their goods at home, and a thriving export, are the natural causes of the ruin of the revenue. It seems in Ireland the revenues are destroyed by the wealth of the nation. From a

position at once so ignorant and so ludicrous, gentlemen proceed to their great hold, the main strength of their cause, and exclaim, What ! limit Government to its income the very year in which his Majesty's Ministers have not applied for a vote of credit !—I meet the strength of their argument. I say, yes, this very year. I waive the advantage I possess in the general principle, that in ordinary years the State should be restrained by its own estimates of expense and revenue. I waive the additional advantage I have in the application of this principle to the particular circumstances, habits, and dispositions of this country. I waive also the other sad advantage which my argument has in the experimental knowledge of the progress of your expense. I meet the gentlemen in the strength of their argument, and say that we ought to limit the growth of expense this very year in which you have not been called upon for a vote of credit.—Yes, this very year, when we have granted above 140,000*l.* on no compensation but the hope to stop the growth of debt and expense. This very year, in which we buy economy by our taxes, or get nothing. This very year, in which we perceive symptoms of departing from that economy. See your accounts. On a comparative view of the estimates for 1786, with the expenses for 1784,



your civil list has increased above 23,000*l.* per annum ; your military list has increased about 80,000*l.* and your concordatum exceeding above 12,000*l.* Without a wish to criminate (for a question of this sort is too high either for reflection or panegyric,) I ask are not these symptoms sufficient to induce this House, when it continues the new grants, in order to stop the growth of debt, to take some precaution to check the career of expense ; the danger of adding to the pension list, of adding to the salaries of officers, and of such unavailing, heedless, and improvident donations. In the course of this debate, we are reminded and checked by another argument, that exclaims, your bounties ! your bounties ! parliamentary grants, your public jobs, these are a great cause of the growth of your debt and increase of your expenses, as if the Public was eased, because the Government was not the only hand that heaped burden upon her back. What, are there then so many different causes ? so many pretences all combining to increase our expenses ? From hence I argue for, and the gentlemen against, a resolution of restraint ; the complication of disorders, it seems, to them, is a reason against the remedy.

“ I admire the unfeigned zeal with which those gentlemen espouse the cause of the manufacturers ; but I cannot forget their discretion,

when they, at the opening of the session, limited the sum to be granted to them, by a resolution which had restrained your grant, and precluded all manufactures which had not the last year partaken of the bounty. When these manufacturers, the objects of their compassion, are under your consideration, with great discretion and jealousy they discern the necessity of putting some limits, by resolution, to that species of bounty; but when afterwards the same rule is proposed to be applied to themselves, when it is proposed to limit the expense of Government, no, say the friends of Ministers, don't impose on us such a rule, or the absolute necessity of living within income—pity the poor manufacturers—have some regard to the infant state of your country—don't preclude those various meritorious claimants, (whom they themselves have precluded already.)

“Sir, that principle which Government applied to manufactures, I would apply to themselves. I would have the obligation of economy to run along with the new grants; I would have it the preamble of the bill, and the annual condition of its renewal, that the Secretary might carry in his pocket the condition of the grant as an answer to solicitation; that he might say to the importunate—Sir, you have claims—your reliance on

our economy gives you just pretensions to expect public money, but our hands are bound—here is the act of Parliament.—This would save the right honorable gentleman the fear of offending, and the trouble of thinking. Sir, in the course of these objections, gentlemen have not forgotten to insist on the possibility of unforeseen exigencies, as a reason against an obligation on the Irish Minister, in ordinary years, to confine himself to his own estimate of expense and revenue. I believe the English constitution does not warrant the objection—extraordinary emergencies (another word for reasons of State) should not be set up as a pretence for extraordinary powers in the Crown. This principle is peculiarly applicable to the case of money; therefore it was that ship-money was held illegal, though it was insisted that the Crown should have a power of levying money in great emergency; the same principle which condemns the practice of unforeseen emergency, in support of a latitude to lay the foundation of taxes without the consent of Parliament, by the reserved power of exceeding income.

“ Sir, this objection of unforeseen emergencies is peculiarly unseasonable now, because it happens to be falsified by his Majesty’s speech from the throne, which felicitates his people on the pros-

pect of complete tranquillity. Had gentlemen reason to apprehend any danger, foreign or domestic, war or rebellion, I suppose they would have taken some precautions; but I ask what is there, in the general complexion of the times—What is there, in your sequestered situation, to justify this pretence of unforeseen emergency?—this affectation of State mystery? A latitude not for exertion, but expense. What wars have you to wage? What enemies have you to overwhelm? Against whom do you point the thunder of your arms? No, no, your emergencies are of a different kind—the gentle solicitation, the fond importunity, and the kind reply on the subject of public money. These are your wars, these are your emergencies. Who would have imagined to have seen, in the course of this debate, that faded cockade of the Castle, *confidence*, advanced on the side of the Court—confidence in the Irish Minister in the uncontrolled expenditure of Irish money—What, after all your experience, to prefer confidence to this resolution, requires, in my opinion, a most robust conscience and a most infirm understanding. Desirous as we all are to pay every respect, and with every predilection in favour of our present Viceroy, a young man of a very noble unsuspecting nature, exposed perhaps to much importunity; yet who can answer for

his continuance? This confidence then must extend to all his successors, whoever they be, of whatever cast, party, principle, or capacity—But even that won't do. This confidence must extend to all the Secretaries of all the future Lord Lieutenants. In the last seven years we had seven Lord Lieutenants and eight Secretaries. The confidence must then be extended to the Lords and Commons of Great Britain, or rather to the King's commission, on a pure and perfect persuasion, that whom the King shall appoint, the Lord illuminates, and where the purse is bestowed, there is the virtue and there is the economy.—This will not do; it is not sufficient that Viceroy's should be Gods—Irishmen must be Angels, and importunity and solicitation cease; and in that event I submit to the force of the argument of confidence, as something not according to reason, but above it.

“I have troubled you long; but before I sit down I must observe, that the success of your manufactures is much interested in this motion. Gentlemen are not to be informed, that the great commercial resources which Ireland possesses is not capital, but a comparative exemption from the weight of taxes. The increase of your expenses must operate therefore as a diminution of your commercial resources, and not only increase

the undue influence of the British Minister in the Irish Parliament, but hinder the competition of the Irish manufacturer in his own market. The nature of the new taxes tends the rather to excite the apprehension, because some of these taxes are registers; taxes on licences to sell leather, soap, candles, &c. being in themselves of very small product, I fear them as a key to a more general taxation. and the more earnestly do I wish, therefore, to stop the growth of expense. I think this is a good opportunity; for I think the new grants give you a right to insist on establishing a great principle of economy. When we make new grants, let us make points for Ireland; and while we are generous to the Crown, let us pay some attention to the interest of the people. Do not let any man suppose that the point of stopping the further accumulation of debt is gained already, because you are not called on for a loan for 1786; the reason being, that you borrowed 200,000*l.* in 1785, and that you got one half year's produce of the new taxes. I make no doubt that the resolution, though rejected to-night, will have a good effect. The principle must be carried. Government must at least live within its income; but then it is to such exertions, and to the urging such resolutions, you must attribute such an event."

The principle of the first resolution moved by Mr. Connolly, being unequivocally admitted by the Chancellor of the Exchequer, was unanimously agreed to.

The question being put on the second resolution, there appeared,

Ayes—78—————Noes—149.

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## ON PENSIONS.

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ON the 20th February, 1786, Mr. Forbes moved for leave to bring in a Bill “to prevent persons holding places or pensions under the Crown from sitting or voting in the House of Commons.” It is impossible to make mention of the name of this venerated and beloved friend of Irish independence, without recording our acknowledgment of the great and important services which he has rendered his country;—indefatigable in the performance of his legislative duties—gifted with great talents, and possessed of extensive information—he always enlightened his audience on every subject he dis-

cussed, and often successfully communicated to his countrymen a portion of that spirit which animated and directed his judgment in debate.

Mr. Grattan, in his celebrated Letter to Lord Clare, in the year 1800, thus speaks of this distinguished Irish Senator :

“ Mr. Forbes—a name I shall ever regard, and a death I shall ever deplore—enlightened—sensible—laborious, and useful—proud in poverty, and patriotic—he preferred exile to apostacy, and met his death.—I speak of the dead—I say nothing of the living, but that I attribute to this constellation of men, in a great measure, the privileges of your country ; and I attribute such a generation to the residence of your Parliament.”

Even such a man as Mr. Forbes, thus described by him who best knew his merits, and to whose superiority every Irishman with whom he acted bore equal testimony, could not escape the deluge of calumny, which swept away every man and every principle that was good or valuable in our island.—The slaughter of such characters was essential to the completion of the grand, though remote object of putting down the country ; and every corrupt hand which could wield a quill, was engaged in the honorable service of defaming and traducing our Forbes's, our Daly's, our Floods, and our Burghs ;—their names, however,



now live in the hearts of the people they instructed and protected, while their calumniators are forgotten, or remembered *only* to be execrated.

“Irishmen of the present day,” says our admired orator—“may go to the graves of these honorable dead men—they may raise up their tomb-stones, as their calumniators threw them down;—they will feel it more instructive to converse with the ashes of the one, than with the *compositions* of the other.”

On the 6th March, 1786, Mr. Forbes moved the House to resolve, “That the present application and amount of Pensions on the Civil Establishment, are a grievance to the nation, and demand redress.”

On the discussion of this motion it appeared, that in the year 1757, the annual charge of Pensions was only 45,000*l.* per annum; and that in that year a resolution passed the House, to the following effect, “That paying so great a sum in Pensions, was an imprudent disposition of the public revenue, and a grievance which ought to be redressed.

In 1785, the Pension List amounted to 95,000*l.* which exceeded the whole amount of the Civil Establishment.

From 1757 to 1785, every Establishment,

Civil and Military, greatly increased—the patronage of the Crown was extended, and the National Debt amounted to more than two millions.—The Pension List of Ireland exceeded that of England.—The commerce—the revenue, and the resources of the former, bore no competition with those of the latter.—“It was idle, therefore,” said Mr. Forbes, “to talk of the Independence of the Irish Parliament, whose Members received wages from the Crown.” On this debate, Mr. Grattan made the memorable declaration, which seemed to have given such pain to the delicate feelings of Ministers:—“Should I affirm,” said Mr. Grattan, “that the Pension List is not a grievance, I should affirm, in the face of my country—an impudent, insolent, and a public lie!”—This motion, so essential to the purity and independence of Parliament, was lost.—On this occasion Mr. Grattan occupied the attention of the House but for a short time.

On the 13th March, Mr. Forbes presented his Bill to limit the amount of Pensions, which was received, and read a first time; and on a motion being made, that the bill be read a second time, on the succeeding night, Mr. Curran, (now Master of the Rolls) distinguished himself in an eminent degree, by a display of that sar-

castie wit, and a happy exertion of that fancy, which fascinated every hearer, captivated the attention, and excited the admiration of every party on either side of the House. The speech he delivered on this occasion, appearing to the Editors to be faithfully and correctly reported, they would feel it an act of great injustice to that celebrated orator, and inflexible Irishman, to deny to the readers of this volume, the pleasure which they have experienced in the perusal of one of the happiest efforts of that caustic humour, which consumed while it enlightened, and planted a thorn in the bosom of the Administration, which could not refuse their admiration of its powers.

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On this very interesting question, Mr. CURRAN thus addressed the Chair :

“ Sir, I object to adjourning this Bill to the first of August, because I perceive, in the present disposition of the House, that a proper decision will be made upon it this night. We have set out upon our inquiry in a manner so honorable, and so consistent, that we have reason to expect

the happiest success, which I would not wish to see balked by delay.

“We began with giving the full affirmative of this House, that no grievance exists at all; we considered a simple matter of fact, and adjourned our opinion; or rather we gave sentence on the conclusion, after having adjourned the premises. But I do begin to see a great deal of argument in what the learned Barchet has said, and I beg gentlemen will acquit me of apostacy if I offer some reasons why the Bill should not be admitted to a second reading.

“I am surprised that gentlemen have taken up such a foolish opinion, as that our constitution is maintained by its different component parts, mutually checking and controlling each other: they seem to think with Hobbes, that a state of nature is a state of warfare; and that, like Mahomet's coffin, the constitution is suspended between the attraction of different powers. My friends seem to think that the Crown should be restrained from doing wrong by a physical necessity; forgetting, that if you take away from a man all power to do wrong, you at the same time take away from him all merit of doing right, and by making it impossible for men to run into slavery, you enslave them most effectually. But if instead of the three different parts of our con-

stitution drawing forcibly in right lines; at opposite directions, they were to unite their power, and draw all one way, in one right line, how great would be the effect of their force; how happy the direction of this union! The present system is not only contrary to mathematical rectitude, but to public harmony; but if instead of privilege setting up his back to oppose prerogative, he was to saddle his back, and invite prerogative to ride, how comfortably might they both jog along; and therefore it delights me to hear the advocates for the Royal bounty flowing freely, and spontaneously, and abundantly, as Holywell in Wales. If the Crown grants double the amount of the revenue in pensions, they approve of their Royal Master, for he is the breath of their nostrils.

“But we will find that this complaisance, this gentleness between the Crown and its true servants, is not confined at home; it extends its influence to foreign powers. Our merchants have been insulted in Portugal, our commerce interdicted; what did the British Lion do? Did he whet his tusks? Did he bristle up and shake his mane? Did he roar? No; no such thing—the gentle creature wagged his tail for six years at the court of Lisbon, and now we hear from the Delphic oracle on the Treasury bench, that he is

wagging his tail in London to Chevalier Pinto; who, he hopes soon to be able to tell us will allow his lady to entertain him as a lap-dog—and, when she does, no doubt the British factory will furnish some of their softest woollens to make a cushion for him to lie upon. But though the gentle beast has continued so long fawning and couching, I believe his vengeance will be great as it is slow, and that that posterity, whose ancestors are yet unborn, will be surprised at the vengeance he will take.

“This polyglot of wealth, this museum of curiosities, the Pension List, embraces every link in the human chain, every description of men, women, and children, from the exalted excellence of a Hawke or a Rodney, to the debased situation of the lady who humbleth herself that she may be exalted. But the lessons it inculcates form its greatest perfection;—it teacheth, that sloth and vice may eat that bread which virtue and honesty may starve for after they had earned it. It teaches the idle and dissolute to look up for that support which they are too proud to stoop and earn. It directs the minds of men to an entire reliance on the ruling power of the State, who feeds the ravens of the Royal aviary, that cry continually for food. It teaches them to imitate those Saints on the Pension List, that are like the lilies of the

field—they tail not, neither do they spin, and yet are arrayed like Solomon in his glory. In fine, it teaches a lesson, which indeed they might have learned from Epictetus—that it is sometimes good not to be over virtuous: it shows, that in proportion as our distresses increase, the munificence of the Crown increases also—in proportion as our cloaths are rent, the royal mantle is extended over us.

“ But notwithstanding the Pension List, like charity, covers a multitude of sins, give me leave to consider it as coming home to the members of this House—give me leave to say, that the Crown, in extending its charity, its liberality, its profusion, is laying a foundation for the independence of Parliament; for, hereafter, instead of orators or patriots accounting for their conduct to such mean and unworthy persons as freeholders, they will learn to despise them, and look to the first man in the State; and they will by so doing have this security for their independence, that while any man in the kingdom has a shilling they will not want one.

“ Suppose at any future period of time the boroughs of Ireland should decline from their present flourishing and prosperous state—suppose they should fall into the hands of men who would wish to drive a profitable commerce, by having

Members of Parliament to hire or let ; in such a case a Secretary would find great difficulty, if the proprietors of members should enter into a combination to form a monopoly ; to prevent which in time, the wisest way is to purchase up the raw material, young members of Parliament, just rough from the grass, and when they are a little bitted, and he has got a pretty stud, perhaps of seventy, he may laugh at the slave-merchant ; some of them he may teach to sound through the nose, like a barrel organ ; some, in the course of a few months, might be taught to cry hear ! hear ! some, chair ! chair ! upon occasion ; though those latter might create a little confusion, if they were to forget whether they were calling inside or outside of those doors. Again, he might have some so trained that he need only pull a string, and up gets a repeating member ; and if they were so dull that they could neither speak nor make orations, (for they are different things) he might have them taught to dance *pedibus ire in sententia*.—This improvement might be extended ; he might have them dressed in coats and shirts all of one colour, and of a Sunday he might march them to church two and two, to the great edification of the people and the honour of the Christian religion ; afterwards, like the ancient Spartans, or the fraternity at



Kilmainham, they might dine all together in a large hall. Good heaven! what a sight to see them feeding in public upon public viands, and talking of public subjects for the benefit of the public! It is a pity they are not immortal; but I hope they will flourish as a corporation, and that pensioners will beget pensioners to the end of the chapter."

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Mr. GRATTAN now rose, and spoke as follows :

" Sir, the gentlemen who have urged the most plausible argument against the Bill, have not taken the trouble to read it. They say that it gives up the control of Parliament over such pensions as shall not exceed the limits of the Bill. No such thing—your control cannot be given up without express words; but here there are express words to save it: here, aware of such a pretence, and that no colour should be given for such an objection, the preamble states the nature of the pensions which are to have any existence at all, " such as are allowed by Parliament."

This objection being answered by the Bill, I must advert to another, which has nothing to say to the Bill.

“A right honorable member has declared the Bill to be the most exceptionable that ever came into Parliament; and his reason for this most extraordinary declaration is most singular indeed, “because it restrains the Ministers of the Crown, and leaves the Pension List open to both Houses of Parliament.”—From thence he infers, that a practice of profusion will ensue, and from hence you would infer that the Pension List was not now open to the addresses of both or either of the Houses of Parliament; but the fact is, that the evil he deprecates, now exists; that the Bill does not give, but finds and leaves a power to both Houses of Parliament to address on such subjects. As the matter now stands, both or either of the Houses of Parliament may address for such charges, and the Minister may also impose such charges with such addresses. You are thus exposed to the two causes of expense, the power of address in us, and the unlimited power of pensioning without address in the Minister; and the right honorable gentleman thinks you will increase profusion by removing one of its causes;—the principle cause—the notorious cause—the unlimited power of the Minister, the most constant, operative and plentiful source of prodigality. In the same argument he adds, that the power of Parliament, in disposing of the public.

money, ruined this country, when there was a redundancy in the Treasury, by serving the purposes of jobbing aristocracy. According to him, then, the greatest evils which can befall this country are a surplus in the Treasury, and a restraint on the prodigality of the Minister.—A prosperity which produces redundancy, and a constitutional Bill which restrains the unlimited grants of the Crown, is his receipt for the ruin of Ireland. In the course of this argument my right honorable friend has spoken of economy. Sir, a friend of mine the other night moved a resolution on the principle of economy, “that your expense should not exceed your income;” his motion was founded on an obvious maxim, that in ordinary years a Government should be restrained by its own estimate of expense and revenue; his motion was rejected on two idle arguments:—That unforeseen emergencies might arise, was one argument; but neither the complexion nor situation of the times warranted the apprehension of danger, and therefore the argument, if it had no corruption in contemplation, was fictitious and idle. The other argument against my friend’s motion was, that the maxims of economy were adopted already by the present Administration.—On what foundation, fact or authority, such an

argument was advanced, the catalogue of pensions can best determine. Those pensions are not words, but facts. I always conceived that the public treasure was, like the people's liberty, to be guarded rather by law than confidence, and I thought the new taxes a good opportunity for establishing such a safeguard. I thought that such a confidence, without such a safeguard, would encourage Administration at last into acts of profusion; but I could not think the act of profusion would accompany the professions of economy and the grants of the people. I could not foresee that peculation would attend the birth of the tax. I will consider this peculation, or the new catalogue of Pensions, and then the Bill—first the grievance, then the remedy.

“See how this grievance will naturally affect the people: they will, perhaps, be inclined to think that they see in such a measure the old school revived—the old spirit of plunder renewed, when Government in Ireland was nothing but the division of spoil.—They will remember that they have given new taxes, and that they have not received the commerce which was, I say, promised, or the economy which was professed; in short, they will see that you have gotten their money, and have given them, as compensation, a new list of pensions.

“ See how this grievance may affect the British Government: when the British Minister sees that he has incurred the odium of the new taxes and of their misapplication, he will naturally expect that his influence at least is augmented; but when he finds that he has added nothing to his power, he will lament this attack on his credit. The British Government will recollect, that to remove the causes of discontent and jealousy in Ireland, Great Britain surrendered her assumed supremacy. Perhaps that Government will not think itself well used in the present attempt to revive Irish jealousy, by the unnecessary peculation of their servants in Ireland.

“ See again how this grievance affects the Irish Ministry. Why give Ireland a grievance, for no object on earth, but to lessen the credit of the Irish Government? Gentlemen speak of reflection—that catalogue is the reflection.— You cannot conceal, nor justify, nor extenuate; your connivance would be aggravation. The name of his Excellency has been introduced to sway debate; his friends come in too late to serve him on this subject; they should have dissuaded him from giving the offence; they should have told his Excellency, that his list of pensioners would be prejudicial to his fame, and was unnecessary to his support; that the

profit went to others, and the scandal to the Government.

“ While I protest against this measure, as a most disinterested act of profusion on the part of Government, and therefore as an act of the most superlative folly, yet will I say more of his Grace the Duke of Rutland; more than his own servants have said of him; they have said of him on this subject, what is ever said, that he is a Lord Lieutenant in the right; I say he is an honest man in the wrong, which is better.

“ Having stated the grievance, as far as affects the three interests concerned, I shall consider the defence; and first, it is advanced, that the Pension List of Ireland is comparatively small—small, if you compare it to the royal establishments of England, or other countries.

“ I directly controvert that position; it is comparatively great; for it is this moment equal to the Pension List of Great Britain; compare it to your hereditary revenue, and it is above one-third of the net produce of that revenue; and in the course of thirty years it has increased more than double.—Another argument advanced in its defence tells you that the new Pension List, or the last catalogue is small; Sir, it is greater than the produce of your new tax on hawkers and pedlars. Why continue that tax?

Because Government could not spare it. Why waste that tax? When I see the State repose itself on beggars, I pity and submit. But when I see the State give away its taxes thus eviscerated from the poor; when I see Government come to the poor man's hovel for a part of his loaf, to scatter it; when I see Government tax the pedlar, to pamper the pensioner, I blush for the extortion of the State, and reprobate an offence, that may be well called prodigality of rapine.

“Sir, when Gentlemen say, that the new charge for pensions is small, let me assure them they need not be alarmed; the charge will be much greater; for, unless your interposition should deter, what else is there to check it?—Will public poverty? No.—New taxes? No.—Gratitude for those taxes? No.—principle? No.—Profession? No.—The love of fame, or sense of infamy? No.—Confined to no one description of merit, or want of character, under the authority of that list, every man, woman, and child in Ireland, have pretensions to become a public incumbrance; so that since Government went so far, I marvel that they have stopped, unless the pen fell out of their hand, from fatigue, for it could not be from principle.

“No, Sir, this list will go on; it will go on,

till the merchant shall feel it; until the manufacturer shall feel it; until the Pension List shall take into its own hand the keys of taxation; and instead of taxing license to sell, shall tax the article and manufacture itself; until we shall lose our great commercial resource, a comparative exemption from taxes, the gift of our poverty, and get an accumulation of taxes to be the companion of our poverty; until public indignation shall cry shame upon us, and the morality of a serious and offended community shall call out for the interposition of law.

“As a further defence of this grievance, it is said that the House of Commons have, from time to time, addressed for pensions, and contributed to the incumbrance:—If those addresses were improper, Government was guilty of covin, in not opposing the addresses in Parliament; and the argument then proposes an emulation of reciprocal expense, and the exhortation to mutual rapine.—If, on the other hand, these addresses were proper, the argument amounts to this, that there are many necessary charges on the Pension List, therefore there should be more that are unnecessary; and the greater the public charge on the revenues, the greater should be the misapplication. In the same spirit, gentlemen have relied on bounties, and the scrambling com-



mittee. The fact, however, is, that the corn bounty is greatly diminished, and the scrambling committee is extinct; but suppose the fact to be otherwise, what is the argument, but a proposal to parliament to have the nation a victim to jobs on the one hand, and to pensions on the other.

“ In defence of this incumbrance it is further advanced, that old quality should be supported.—Admitted—I have no personal dislike to any individual of the new catalogue.

“ I have for some great respect and love. The first name did honour to the Chair, and is an honour to the Parliament that provides for him. As to old quality, why not bring back the great Irish offices now in the hands of absentees, and give old quality great places instead of little pensions!—Again, why the one under that description considered so late, and the other so little? But is the merit of four or five of this catalogue the qualification of nineteen, unless qualification, like the plague, is caught by contagion.

“ Sir, in so very numerous a list, it is almost impossible that some meritorious persons should not have been obtruded; and yet in so numerous a list, it is astonishing there should be so few of that description. One pension of that description I well remember; it suggests to me other considerations than those which such a list

would naturally inspire—I mean the pension to the family of the late Chief Baron.—I moved for that pension; I did it from a natural and instinctive feeling: I came to this House from his hearse. What concern first suggested, reason afterwards confirmed. Do I lament that pension? Yes;—because in it I lament the mortality of noble emulation—of delightful various endowments—and above all, because I feel the absence of him who, if now here, would have inspired this debate, would have asserted your privileges, exposed the false pretences of prerogative, and have added one angelic voice to the councils of the nation.

“ Having considered the Pension List as a grievance, I shall now trouble you with some observations on the remedy, namely, the Bill which my friend proposes on the spur of the present expense, grounding himself on the example of England. In opposition to this Bill, some gentlemen of this House have come forth in the rusty armour of old prerogative, and have stated this attempt to reform abuses by Bill, as an invasion of the sacred rights of the Crown.—Sir, I apprehend that Parliament may, and ought to remedy abuses, even though they are not in themselves illegal. On this principle it was that the Judges’ Bill was passed; on this principle the

Habeas Corpus Bill in Ireland was passed ; and on this principle many of the best laws in England have passed. Abuses which obtain under colour of law, are best rectified in Parliament.

“ When the Commons of England had returned to their House, from a decisive answer given by Charles I. to the Petition of Right, they began to consider the state of the nation in all the various management of the King’s prerogative ; a message was delivered, through the Speaker, from the King, to admonish them not to cast reflections on his Government, or to enter into the affairs of the State. Sir Edward Coke observed, on that message :—“ It is the business of this House to moderate the King’s prerogative. Nothing which reacheth to abuse, that may not be treated of here.”——This principle is particularly applicable to cases of money, over which you, by special privilege, preside ; and still more applicable to cases of your own revenues, because they are appropriated. A right hon. member has contradicted this ; he says, that however the new customs and excise may be appropriated, yet that the old customs are under no appropriation whatsoever ; and he says further, that formerly the King had a right to them by common law ; and he states that they amount to 200,000*l.* per annum ; but the right hon.

member is not warranted, either by the laws or constitution of his country, in the doctrine which he has ventured to advance.—Charles I. thought, indeed, like the right hon. member, that the King was entitled to tonnage and poundage by common law ; but the Parliament of England differed from both, and resolved such levies to be illegal, and the persons who, thinking like the member, had been concerned therein, to be delinquents.—Nay, the old customs to the King makes an exception ; and the qualification of a grant in any degree, usually bespeaks the poverty of the granter ; the member therefore seems not to have adverted sufficiently either to the statute law or the constitution of his country. The statute of Charles II. which grants the new customs, and which also the member does not appear entirely to understand, seems to consolidate the new and old customs, and appropriate both to one and the same purpose.—After reciting the old grant, and establishing a common book of rates, it says,—“And for the better guarding and defending of the seas,”—and then it proceeds to grant the new customs : The words “better guarding the seas,” bespeak the appropriation both to one and the same purpose, and is a term of connection between the old and new customs, making them a common fund for the defence of the seas.—

But I might yield all this—I might allow that the hereditary revenue is not appropriated—that the act of customs does not mean the guarding the seas, nor the act of excise the pay of the army. Yet is the hereditary revenue the estate of the nation, of which the first magistrate is but a trustee for public purposes. It is not the private property of the King, but the public revenue, and any diversion thereof is a crime. The great Duke of Buckingham was impeached for such a crime; one article of his impeachment was the grant of several pensions to himself and his friends out of the revenue, and one criminal pension in the schedule, was a charge on the old customs of Ireland. At an earlier period the Duke of Suffolk was impeached, and one charge was the grant of pensions to himself and his friends. At an earlier period, in the reign of Richard II. an Earl of Oxford was impeached for grants to himself and his friends; the crime is called interception of subsidy; whereby the realm was left undefended, and grants like yours for the defence thereof, wasted on individuals, while the people were doubly taxed, as you are, to make up the wanton deficiency.

“Thus does it appear that in cases concerning pensions by prerogative, the Commons have interfered; though prerogative in those cases

might plead that the revenues out of which these grants arose, were wholly unappropriated ; but a public grant appropriates itself to the public use ; and the Parliament that proceeds either to punish or to control the diversion thereof, does not invade the prerogative of the Crown, but exercises the privilege of the Commons, in guarding the inheritance of the nation. In reforming such abuses, you may proceed in your inquisitorial capacity, as the greatest inquest of the nation, by impeachment, or in your legislative capacity, by bill ; the latter is the milder method—my friend adopts it ; and proceeds rather to reform than to punish. You tell him that we have submitted to this grievance for a long time. It is true ; but a course of toleration and impunity, neither constitute innocence, nor draws out the sting of a grievance ; it is true, you have submitted to this grievance for a long time. Hence the many erroneous arguments of this night. The public inheritance has been so diverted to private purposes, by a series of Ministers, that we have forgotten the proprietor in the misapplication of the property, and talk of the estate, as of the private patrimony of the King—Hence these prerogatives of rapine ! these rights of plunder ! the authority of the King, to be robbed by his own servants of the common

stock !—Hence it is, that gentlemen have set up the shadow of prerogative as a cantinel to public robbery.

“ When gentlemen call this Bill an attack on the prerogative of the Crown, they are answered by the principles of the Constitution ; but they are also answered by a precedent of the most decisive nature ; and that precedent is this very Bill, which is now the law of England. By the law of England no pensioner for years, or during pleasure, can sit in Parliament ; and by the law of England the amount of pensions is limited. The first law passed at the time of the Revolution, and was improved in the reign of Queen Anne. The latter passed in 1782, with the entire concurrence of these very persons who now constitute this Administration ; and yet the argument of prerogative would have been stronger in England, because there a civil list had been granted to the King, and the subsequent limitation of pensions on that list seemed a revocation of the powers of the grant. On what authority then, or pretence, do gentlemen call a measure which they supported as necessary for England, an invasion of the rights of the Crown, when proposed for the benefit of Ireland ? What pretence have they for such partial doc-

trine of unequal measure? As if that was infringement in Ireland, which in England was constitution; or, as if what was moderation in the people of England, would be in those of Ireland arrogance and presumption.

“This leads me to another objection on which gentlemen much relied, that this Bill is an innovation—a new constitution; to admit the undue influence of the Crown in parliament, and to control the excess of expense—an innovation! It is an encroachment most certainly, an encroachment on corruption, an invasion on the ancient privileges of venality; it is the old constitution encroaching and innovating on long established dishonest practices and accumulating expenses. All these expenses and practices it seems we have already sanctified; we voted, the other night, that neither in their excess or application were they a grievance. Sir, I will not presume to censure a vote of this House, but I may be permitted to explain that vote; we could not mean by that vote, that the present Pension List was no grievance, for there was no man in debate hardy enough to make such an assertion; no man considers what that Pension List is; it is the prodigality, jobbing, misapplication, and corruption of every Irish Minister since 1727.—



To say that such a List was not, either in its excess or application, a grievance, was to declare that since that period (that is above half a century) all your Ministers were immaculate, or rather, indeed, that God had governed you himself, and had never sent you a Minister in his anger.

“ I declare I could not affirm the innocence of the List, because I should be guilty of affirming what I conceive to be false. Do gentlemen think otherwise?—Let them take their catalogue in one hand, and place on their heart the other; let them look this nation in the face, and in that posture declare that the present Irish Pension List is not, either in its excess or application, a grievance! They could not do it; they have voted what they would not say. I dissented from their vote, but I went along with their conviction.

## NAVIGATION ACT.

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ON the 5th of March, 1787, Mr. Grattan desired to be informed what was meant by a Bill, for which leave had been given the 23d of last February, under the title of "A Bill for the improvement of Navigation," and whether that Bill was to go farther than the registry of ships.—The Attorney-General (Mr. Fitzgibbon) replied, that the intent was to insert a clause in the Bill, declaratory of its being in force in this kingdom. "Then," said Mr. Grattan—"I find this Bill is to enact the Navigation Law, a law of greatest anxiety to the British Minister, a law intended to confer equal benefits and impose equal restraints, but so considered by Britain, as to confer benefits on *herself* and *exclude* Ireland. This was a principle of the Propositions, and a very old complaint—England sent plantation goods to Ireland, and refused to receive them from us, under colour and construction of one and the same law—the act of Navigation.—This law, it seems now, gentlemen begin to suspect is *not* valid in Ireland, and it is now proposed by them to be enacted here, subject to the

hostile construction ; and it is to be brought on, on Wednesday, to be passed, I suppose, with the usual expedition."

On the 20th March, the Attorney-General's new Bill was debated ; on which occasion, Mr. Grattan moved an amendment, which, in his opinion, went completely and effectually to prevent any future misconstruction of the Navigation Act, whose original principle and object was *equality of advantage* to every part of the British empire.—This celebrated act (which Blackstone describes as the most beneficial statute for the trade and commerce of England) was first framed in the year of Cromwell, 1650, with a narrow partial view—being intended to mortify our Sugar Islands, which were disaffected to the Parliament, and still held out for Charles the 2d, by stopping the gainful trades which they then carried on with the Dutch ; and, at the same time, to clip the wings of those our opulent and aspiring neighbours—this act *prohibited* all ships of foreign nations from trading with any English plantations, without *license* from the Council of State.—In 1651, the prohibition was extended also to the mother country, and no goods were to be suffered to be imported into England, or any of its dependencies, in any other than English bottoms, or in the ships of that European

nation, of which the merchandize imported was the genuine growth or manufacture; at the restoration, the former provisions were continued, by statute 12 of Charles the 2d, c. 18, with this very material improvement; that the master and three-fourths of the mariners shall also be English subjects.

This Act of Navigation, so justly considered by Englishmen as the great cause of their commercial ascendancy over the rest of mankind, or as Sir Joseph Child describes it,—“The *Charta Maritima* of England;”—the creator and preserver of that Navy, which rides triumphant over every sea, and dictates British law in the remotest corners of the globe, had not yet become the law of Ireland.—The jealousy which originally dictated this celebrated Act against the enemies of England, was directed against Ireland with the same selfish spirit; and the enlightened consideration of extending to the latter, all the advantages which flowed from this unprecedented monopoly to England, never occurred to those Ministers, whose object should have been a community of interest and a free interchange of benefit with every part of the British Empire.—This Act of Navigation was a law of policy and power, rather than of commerce;—a martial policy was the object of

those who gave birth to it; and it appears, from an inspection of the act, that its framers intended its operation should be general throughout the British Empire. The broad and expanded views of Cromwell were defeated by the narrow and contemptible cunning of commercial avarice;—for though the Act of the 12th of Charles II. which is called the Act of Navigation, recognizes the principle of universal operation throughout the Empire, yet, in three years after that period, the miserable policy of England converted it into a law of commercial restriction, by forbidding the *direct* import of the colony trade with Ireland.

Thus, the liberal construction, which, from the words of the Act, and the circumstances under which it was enacted, underwent various alterations in many subsequent statutes. By the Navigation Act—plantation goods were exportable *only* from the plantations to England, Ireland, Wales, and Berwick; but by a series of succeeding laws, (the 15th and 23d. of Charles II.—the 7th and 8th of William, and 4th of George II.) all plantation goods were prohibited to be landed, from the plantations in Ireland, except a few articles, which escaped the enumeration in the Act of George II.—Thus counteracting the original comprehensive inten-

tion of the Act of Navigation.—To put an end to the possibility of any future misconstruction of this famous statute, which Ireland was about to adopt as the law of the land, Mr. Grattan proposed the following amendment, which goes to secure all the benefits of the act, on the principle of Irish equality.

“ And whereas it is the meaning and intention of the said Act, passed in England, in the 12th of King Charles II. to impose the *same* restraints, and confer *equal* benefits, on his Majesty’s subjects in England and in Ireland, and that both kingdoms shall be affected in the same manner.”

To this amendment it was objected by Ministers, that the act of Charles II. the liberality of which was so much relied upon by Mr. Grattan, had no reference whatever to the transportation of Colonial goods between England and Ireland;—that the *Act of Customs*, which was in force more than a century, regulated the trade—that it was impossible to force England to adopt a construction of the Navigation Act, different from that which we had hitherto obtained;—that the Act, as it stood, without the amendment, was a source of infinite advantage to Ireland;—it gave to the latter a monopoly in favour of her shipping;—it gave her admission into the

English ports, on the same terms as the English themselves—it gave her the protection of the British Navy.

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To these objections, Mr. GRATTAN replied, with his accustomed force of argument, and brilliancy of illustration :

“ Sir—From the thin and unfrequented state of these benches, one would naturally expect no business of moment. The Navigation Act, now under your consideration, has been, from the earliest time, an object to Great Britain; for this she has incurred the jealousy of nations; to this she attributes the growth of her marine—the dominion of the sea; and she has called it, emphatically, a Great Sea Charter.

“ But this Act, dear as it was to her, has been in its operation as cruel to you;—hardly had the Act passed, when you were inhibited, by one law, from sending European goods to the Plantations. By another law, your name was stricken out of the bond, and the Plantations were inhibited from sending their articles to Ireland;—and, finally, by another law, you were inhibited from sending Plantation goods to Great Britain; while England, who drew up your Act of Customs, (for the Act of Customs, though the measure of the Irish Parliament, was drawn up in Eng-

land) forced herself into your market by a clause in that Act. Here has been the construction or operation of the Navigation Act; a construction of monopoly and contradiction; a tyranny of power over the rules of reason; an operation of injustice, the result of which was, that Ireland was turned out of every market in the King's dominions, her own not excepted; while England construed herself into the Irish market, by an authority derived from the explanation of one and the same act, by the interpretation of which you were excluded. Thus you stood, or nearly thus, until the settlement of 1779; here the two nations came to an honorable explanation, in which the characters of both were raised, and in which, coupled with the settlement of 1782, their animosities were buried for ever; but in the settlement of 1779, we did not comprehend the channel trade, or the trade subsisting between Great Britain and Ireland, that stood on its ancient base, which was in equality; here the dregs of the provincial system remained not yet purged off; you took the manufacture of England, and the Plantation goods re-exported from England, and England refused to take either from Ireland—She got the raw article from you, and you take the manufacture from her.—It was a condition that required



arrangement, but was not a condition (considering the great and recent acquisitions of this country) that should have called forth the very great turbulence and impatience which attended the inauspicious discussion of the unhappy question—Protecting Duties! to which the above condition had given birth—Protecting Duties!—a question whether we should turn a vast number of articles of the English manufactures out of the Irish market, a question taken up so improperly, so furiously agitated, and so suspiciously deserted. The madness of the times frightened the English much, but frightened every rational man in Ireland much more, and did at last damn the pretensions of those manufacturers who had just force enough to give birth to an arrangement, of which Protecting Duties not only did not make a part, but in which an express stipulation against them made a principal part. The equality of the re-export trade made another part. This was the system of reciprocity, but the manufacturers of England trembled at it; they had got your market already, they, therefore, were not to gain any thing by the experiment, and they were, therefore, left free to indulge in the latitude of their ancient fears and airy speculations. They contemplated the low price of labour and of provisions in Ireland;—

they mistook the symptoms of poverty for the seeds of wealth ;—in your raggedness they saw riches in disguise ; and in destitution itself, they discovered a powerful rival to the capital, credit, and commerce of Great Britain.

“ Whilst your pretensions were thus opposed by some of the English manufacturers, jealous of your poverty, they were also combated by another party, jealous of your liberty. The remnant of Lord North’s Ministry, who had supported the Minister in the fury of the American measures, but had condemned his decline, and saw the moment when a great man loses his virtues, that is, when he loses his power—that remnant who had but one idea with respect to Great Britain, Ireland, and America—coercion—coercion ! From that quarter, the fourth Proposition, if I am well informed, and some of the other Propositions, the result of a narrow mind, a sordid circumspection, and a jealousy of the dominating genius of an individual, and of the liberties of a nation, originated. Thus was Mr. Pitt’s system of reciprocity clogged with a system of coercion, and thus fell the adjustment ; and since that time we have no question in the least connected with it, until a doubt has been entertained of the validity of the Act of Navigation. That doubt rests on two points ; one is, the

informal and narrow rule in the Act of Customs, which enacts nothing, speaks only to the lower officers of the revenue, and rather indicates a false opinion of the validity of the Act of Navigation in Ireland, by the authority of the British Parliament, rather than a legislative confirmation of the law. Let the learned decide—I know there are some most eminent lawyers, who do not think that rule sufficient to establish the Act of Navigation in point of law;—in point of conformity it has not been disputed. The other ground of doubt is Mr. Yelverton's Bill; the clause in this Bill is equality; it enacts such commercial and navigation laws, as import to confer the same benefits, and impose the same restrictions. Had the Navigation Act been unaltered, had it not been perverted from its original purpose, it would have been established by Mr. Yelverton's bill; but its inequality of operation stood in the way of its confirmation. Thus, the doubt of the validity of the Act of Navigation arose; the narrowness of the rule, and the honest latitude of the Bill. In these circumstances a Bill is introduced, to establish in this country the Act of Navigation. I was not under error in any degree whatever with respect to the measure. I stated it to be the establishment of the Act of Navigation; it is so. It has been called a Bill for the

trade of Ireland ; it is not so. It has been represented as a boon from England ; it is not so.

“ The Act of Navigation is an act of empire, not of commerce ; Cromwell was no merchant, his mind was compass, power, and empire.—The Navigation Act is a restriction on commerce in the benefit of shipping—a restriction on the sale of things imported and exported—confining the sale and purchase to vessels and ports of a certain description. The compensation Great Britain receives, is in the carrying trade ; and a doubt has arisen, whether the benefits she receives from that trade, compensate for the restraint she imposes on the sale of the commodity ; but as to Ireland, there can be no doubt at all. The Act of Navigation is clearly a restriction without the compensation. Your trade does not receive benefit from the alien duty. The Act is a clog on your plantation and a clog on your European trade.—Does your trade receive benefit by being confined to vessels of a certain description, or a certain port ? You incur the restraint on the sale, but you do not get compensation : See your tonnage of 1784 : English in the Irish trade 860,000 ; Irish 71,000 ; thus the Act of Navigation is a restriction on commerce for shipping ; a restriction on Irish commerce for British

shipping; therefore the Act of Navigation is a grant to England.

"I do not hesitate to make that grant; nor do I require to be exhorted to make that grant, by a suggestion, that an act of restriction on our commerce is for the benefit of our trade. I know we must make some sacrifices, in some instances, to the general cause. I know taxes are not commercial benefits any more than Acts of Navigation, but they are necessary, and therefore I do not hesitate to conform to the British act; desiring only, in order to warrant that conformity, that the conditions of the act may be effectually equal. As Irish conformity is necessary to the British empire, so is Irish equality necessary to obtain that conformity, that is, the true principle that connects; it is the breath that lifts, and it is the spirit that moves, and the soul that actuates; without it all is eccentricity—with it the two nations gravitate to a common centre, and fulfil their stated revolutions in the imperial orbit, by rules, regular as the laws of motion, like them infallible, and like them everlasting! Nor do you here demand an equality of which you are not a purchaser; you purchased the right to equal admission, or equal exclusion, under this Act, by a long conformity to its restriction; you have given to Great Britain, for that equality,

your carrying trade and your market—100,000*l.* in plantation goods—360,000 tonnage—nor do you in fact desire equal advantages. You do not desire the British market, but you wish to have the speculation of the British market for the chance of your own; it is not another man's estate you desire, but a small channel through your neighbour's land, that you may water your own, without the fear of inundation. The English need not tremble; their estates in the plantations articulated to render the produce to Great Britain will not break these articles. Cork will not be the emporium of the empire. Old England will remain at the head of things.—We only aspire that the little bark of this island may attendant sail—pursue the triumph, and perchance partake some vagrant breath of all those trade-winds that waft the British empire along the tide of commerce.

“The equality we ask, is not only the birth of our condition—it is the dictate of our laws—See the Act of 1782—the same benefits and the same restraints—a principle very inadequate, if applied, as the rule whereby to measure laws not yet in existence; very infirm ground whereon to pledge the faith of Parliament to future adoption, but necessary for your conformity to any English act already in existence—a principle of equality

is thus registered in your own statutes. . . The merchants who petitioned were therefore moderate; they are men respectable as merchants, as men of sense, and men of probity—they did not desire you to repeal the Navigation Act, but they did desire that you would not re-enact it; that you would not give any new sanction or authority to the Act, without establishing and securing its benefits. They spoke like freemen the suggestion of the laws, and demanded their right—equity, effectual equity. They spoke a principle admitted even by the two Houses of the British Parliament at a time not very favourable to your liberty—the time of the Propositions. The fourth Proposition, inadmissible as it was, did not presume to ask of you to adopt English laws of Shipping and Navigation, on a principle other than that of equality. That Proposition was idle enough to expect that you should pledge your faith to a future conformity to future English Acts—but equality even there was admitted—even by that oppressive narrow Proposition—therefore I think I have proved, that in the Act under your consideration you have a right to demand equality, and I ask whether the clause sufficiently secures it? The clause recites the rule, and then enacts, and explains nothing—recites no principle, secures no principle, removes

no doubt; it leaves you a verbal, not an operative equality; equality of law, but not equality of construction. In support of a clause so circumstanced, two principal arguments have been adduced; one, that the Act of Navigation is the law already, and the other, that it is not. As to the first, if the whole of the argument rested here, the argument and the bill would be easily disposed of.—'Tis true, the Act of Navigation has been complied with; the merchants, commissioners, and people, have obeyed it; the doubt must arise somewhere out of this country, and if out of this country, in some quarter appertaining to the British Court; it is therefore a Proposition from the British Court to the Irish nation. When we are employed in discussing this Proposition, and in removing the doubt the Court of Britain may entertain about the existence of the Act of Navigation, have we forgotten that there does not exist a much more respectable and more interesting doubt about its construction; and shall we gratify the Court by settling the one point, and not gratify, serve, and secure the people, by settling and securing the other?

“The other argument, that tells you the Navigation Act is not the law, desires you with all speed to establish it, in order to secure your plantation trade. But has any court of justice



impeached the validity of the Act? Antiquary, chant disputed it? Any commissioner dispensed with it? There is the same conformity to the Act of Navigation now which obtained in 1780, when we got the plantation trade, therefore we are not called on to re-enact it by virtue of the covenant. Supposing that settlement to have the Navigation Act in contemplation, the plantation trade is confined to the British plantation, and the Navigation Act is co-extensive with the world; there is therefore a geographical error in the argument, supposing it to have any foundation in the fact;—but to put this defiance to issue—I ask the right honorable gentlemen on the other side, have they any authority from the British Minister, to tell Ireland that unless she shall re-enact the Navigation law, England will repeal the settlement of 1780? I wait for an answer—there is no such thing.

“The plantation trade is out of the question. I congratulate you, your minds are at ease, that fear is idle. But if you were to examine the value of that trade, with the loss of which you are threatened, perhaps you would find that it is not inestimable. I allow it is of some value; I do not wish to depreciate the grants of England; you do import directly and you do export directly something, but not in any very great quantity.

Whence do you get your sugar? From old England; what sales of cotton manufacture or woollen manufacture have you exported directly to the plantations? Have we forgotten what we have heard on the subject of the Propositions, that our plantation trade did not depend on the Act of Navigation, but on the issue of the second market, that is, on the equal operation of the Navigation Act, of the Act before you? I thought gentlemen went too far when they talked down the plantation trade, as it were nothing without the market of England, without this point of construction or operation; but I am astonished that they now urge the plantation trade as an argument for adopting the Act of Navigation, without taking the precaution of securing that equality under the Act, without which the plantation trade, in their opinion, is inoperative. One gentleman says it is law, another it is not law; but both agree to prepossess your judgment, by exciting a false indifference or a false panic. There is another argument that comes in aid of these, which tells you, it is of no consequence whether the Navigation Act is or is not law; because the inequality arises from two outstanding Acts of Parliament; one the Act of Customs in Ireland, which admits British plantation goods; the other the Act of the twelfth

of George III. in England, which prohibits their import from this country; and therefore he advises you to adopt the Act of Navigation, because there are two other Acts of Parliament which deprive you of its benefits. Before you pass the clause under consideration, recollect that we have not very indirectly been invited to institute an adjustment with Great Britain. I am against advancing on that subject; I do not wish to make new points with England; there are some things might be better adjusted, but I would leave that adjustment to temper and to time. England now receives France and excludes Ireland. I do not believe she need be afraid of being rivalled by either; but this is a consideration for her and not for us; we have done our part; we have opened our market to England; we cannot give our constitution; if she chooses to advance; if ashamed to give privileges to France which she refuses to Ireland, she wishes to relax, 'tis well; we are ready to thank her; but if the Court wishes to advance, and proposes the removal of a new doubt, by adopting a new and experimental measure, such as the present, we must assert, we reply by establishing an old claim and an old principle. My answer to this proposition is to take the Act of Navigation on its true principle, and my sentiments are, Irish

equality, and British shipping, and my amendment is as follows—and my vote shall be for the amendment and for the Bill, for the English Navigation Act on its own principle.”

He concluded with moving the following amendment to the preamble of the Act :

*“And whereas it is the meaning and intention of the said Act, passed in England in the twelfth Year of King Charles II. to impose the same restraints and to confer equal benefits on his Majesty’s subjects in England and in Ireland, and that both kingdoms shall be thereby affected in the same manner.”*

To put the House in possession of the whole measure, he stated that he intended to follow the amendment, by moving the annexed proviso for the Bill :

*“Provided, that the said Act, passed in England in the twelfth Year of the Reign of Charles II. shall bind his Majesty’s subjects of Ireland, so long as it shall have the effect of conferring the same benefits, and imposing the same restrictions, on both kingdoms.”*

## ON TITHES.

It will not, perhaps, be considered by the readers of this Volume an unnecessary, or an unimportant inquiry, to give a short history of that system which has been so long, and with so much justice, condemned as *one* of the most fruitful sources of discontent and disaffection among the lower classes of the people of Ireland—nor will it contribute a little to the proper understanding of the merits, and to the due appreciation of the great talents which are displayed in those speeches which were pronounced by Mr. Grattan, in the years 1787, 1788, and 89; when the south and west of Ireland were distracted by a furious and barbarous association of persons, under the denomination of Whiteboys, whose cruelties and outrages could only be accounted for, by the melancholy reflection, that they seemed to have no resource but in the madness of despair—no prospect or hope of redress, but in the wild and senseless devastation of the property of those whom they considered their oppressors. Those who read the proceedings of the Irish Parliament, at this memorable and afflicting

period, will be surprised, perhaps, that a Legislature, composed of men, whose interests should have been the peace and happiness of their poor and oppressed countrymen, could discover no remedy for public grievance but the severest penalties of vindictive law, and that it should refuse inquiry into those complaints, which every dispassionate man in the kingdom acknowledges to have arisen from the greatest injustice ever practised on the poor of any country. *He*, whose heart was not closed by the seductions of interest, or whose existence did not depend on his venality, and the prostitution of his voice to the purposes of a corrupt cabinet, saw, with pain and with indignation, the exercise of an unlimited and undefined power, in the hands of the meanest—the lowest and most inexorable tyrants—the tithe-proctors and tithe-farmers of Ireland; a set of men, unfeeling, uneducated, and unprincipled, placed between the rector and the farmer, for the purpose of shielding the former from the odium of levying a tax, as difficult as unpleasant in the collection, and operating, in the majority of instances, as an intolerable grievance, and the fountain of bitterness and distress to the humble and industrious inhabitant of the cabin.—That a Protestant Government, *zealous* for the propagation of its religion and its principles;—that a

Protestant church, *anxious* for extending the foundation of its establishment and the conversion of its people ;—that a church, which labours, through the medium of Charter Schools, and the prodigal dissemination of prayer books through the land—to diffuse a *liberal and enlightened* religion, among a people whom it has often been pleased to represent and stigmatize as barbarous and uncivilized—should have persevered in a system so well calculated to render that *religion* odious ;—that it should have persevered in a system, which exposed the ministers of the Protestant religion to a comparison with the meek—the humble, and protecting ministers of the Catholic church ;—the former—from the cruel and relentless necessity of circumstances—obliged to goad and torment the miserable peasant, with all the chicanery, and cunning, and artifice of his tithe-proctor ; while the Catholic priest was ever to be seen administering to his mind—healing the wounds which oppression had inflicted, and preaching comfort and peace to the heart which injustice, in her most odious form, had wrung. That the Government of Ireland, but more particularly that the landed property of the kingdom, should *close* the doors of Parliament against those men, who come forward to *give evidence* of the mis-

ries and sufferings which had goaded their fellow countrymen into acts of turbulence, and tumult, and violence, unparalleled in any other part of the civilized world. That *all this* should be done, under the mockery of protecting the Church and the State against desperate innovation, and wild experiment, will *no longer* be a subject of wonder to those who have witnessed the close of that disgraceful scene, which terminated in the extinction of the liberties of Ireland. In 1788, Mr. Grattan, the *Advocate of the People*, the undaunted and unanswerable champion of public justice and public mercy, was represented by the hirelings of the Castle, and the pastors of the church, as a conspirator against the peace and prosperity of his native land—and the existence of the established church. He was honored with the titles of “Factions agitator”—“turbulent demagogue,” and all that miserable series of scurrility which a prostitute and abandoned press could give birth to. That eloquence which fascinated the enemies of Ireland, while it denounced their corruption, their follies, and their crimes; that truth and courage which convinced the reasonable, and dismayed the trading politician, were industriously slandered by the daily preachers of *Christian* charity, and the hypocritical defenders of the purity



and stability of the Protestant church. The curtain is now drawn up, and the Minister who has completed the conquest of Ireland, has more than *vindicated* the great and glorious efforts of Mr. Grattan in her defence. *He* cautioned the people of Ireland against that Minister, in a loud and prophetic voice, and they were *deaf* to his remonstrances; *he* cautioned the country gentlemen (whose confidence Mr. Grattan ought to have possessed) against the folly and the fury of their laws, and the snare they were *artlessly* weaving for the liberty and character of their country.—Mr. Grattan made his eloquent appeals in vain; the idle and stupid pride of *not* yielding to the clamours, and the tumults, and the violence of the people, was mistaken for *manly* firmness and *dignified* determination. The Irish Parliament preferred a code of pains and penalties, to acts of mercy and redress! it preferred destroying and extinguishing the peasant to an inquiry into his complaints; and after thus unnerving the arm of the people; after thus crushing their spirit to the earth, and stifling their cries, that *same* Parliament stupidly called on their countrymen, in 1800, to protect them against the Minister of England; they trembled for their darling ascendancy, and crouched to these honest feelings of Ireland, on which for years

they had been trampling. In 1800 it was not surprizing, therefore, to see the people reluctant to take up arms, for the protection of that monopoly which governed them, and to perpetuate that tyranny, which with a thousand heads rioted on their comforts, their peace, and their feelings.—The short sketch of the history of Tithes in Ireland, which we shall now give, will best demonstrate the truth of the foregoing observations.

According to the testimony of Spencer, Tithes in Ireland were of no great value, for a length of time after the Reformation; in his State of Ireland, he writes, “All the Irish priests, who now enjoy church livings in Ireland, are mere laymen; live like laymen, and *follow* all kinds of husbandry, and other worldly affairs.” And elsewhere, he observes, “That the benefices are so mean, and of so small profit in those Irish countries, through the ill husbandry of the natives, they will not yield any competent maintenance for any honest minister to live upon.” Primate Boulter, (whose administration commenced in 1724, and ended about 1742,) in a Letter to Sir Robert Walpole, thus writes: “Since the Reformation, while the lands were mostly in Popish hands, the clergy took what they could get, *thankfully*; and very few went

near their livings to do their duty." In this state things remained until the Revolution, or rather until the surrender of Limerick to King William threw all the benefices into the hands of Protestant rectors;—at this period peace was, in a great measure, restored to Ireland, and the clergy began by degrees to re-assume those rights which were heretofore disputed.—In the year 1720, they demanded (as we are informed by Bishop Boulter) the Tithe of Agistment,\* which being resisted by the landholders of Ireland, an application was made to the Court of Exchequer, who determined that the clergy were entitled, by law, to the Tithe of Agistment;—the resistance which was made to the payment of this Tithe, in the year 1734, by the country gentlemen of Ireland, should have taught their successors, in the years 1786 and 7, some moderation, and should have inspired them with some sensibility for the sufferings of the peasantry, whose conduct was *not* more reprehensible, nor more illegal, than that of the landed proprietors, in resisting the Tithe of Agistment;—this example, before the eyes of an ignorant and unthinking multitude, (which from the success that followed the efforts of the landed proprietors in 1785, was peculiarly

\* It was resolved by the Irish Parliament, that the Tithe of Agistment was oppressive to the great landholders, and injurious to the Protestant interests.

calculated to animate and encourage the peasantry to imitation) should have been taken into account by those legislators, who, while they consigned to death and to ignominy the poorest people of the country, *persevered* in withholding from the clergy those rights, which *by law* they were entitled to—by refusing to pay the Tithe of Agistment, which, if paid, might have removed much of the pressure of the church from the shoulders of the peasant, and thus diminish an *evil* which came with accumulated weight on those, who of all others in the community were the least able to bear it.

Of the conduct of those landholders, Primate Boulter gives the following account :— he states “ That associations were entered into by most of the lay lords and commoners, to join against agistment; and the like associations were sent down to most counties against the assizes, and signed in *most*, though refused in *some*—and a *common* purse was to be raised in each county to support any one there that should be sued for agistment :—there was, he writes, a rage stirred up against the clergy, that equalled any thing that had been seen against the Popish priests in the most dangerous times, though the clergy behaved themselves with a temper that surprized their enemies.” The reader will bear in mind, that the persons most interested in refusing the

Tithe of Agistment, were, the *great graziers* and *Protestant* proprietors of land; men, who possessing great interest, directly and indirectly, in the House of Commons, succeeded in deterring the clergy from making, and the courts of justice from entertaining, any demands from this Tithe, though no legislative act for its abolition passed until the year 1800;—thus were the pasture lands of Ireland exempted from the payment of Tithe, and the Rector, and his proctor or Tithe-farmer, were turned on the garden of the *Catholic* cottager, while the *Protestant* landholder of a thousand acres of pasture was exonerated. Will the reader of Irish history any longer wonder at the enormities into which such monstrous injustice precipitated the ardent feelings of a people, than whom, (Sir John Davis says,) “no men under heaven liked equal and indifferent justice better.”

This conduct of the landholders, backed by the Legislature, compelled the Protestant clergy to increase their demands on the farmer and the cottager—every article which the latter possessed paid the grievous and unjust tax of Tithes, and the murmurs of the people increased with the exactions and the necessities of the clergy. At this period, namely, 1785, it is to be remarked, (according to Bishop Boulter,) *not* a fortieth part of the land of Ireland was under tillage—

what a blow then to the agriculture—the population, and the comforts of the people must have been the exemption of *pasture lands* from the payment of tithe—ruinous to the character and independence of the Protestant clergy, and torturing to the miserable peasant, who saw his children denied the necessaries of life, while the rich overgrown Protestant landholder was trampling on the laws of his country, and the interests of religion. Tithe-proctors necessarily multiplied—the Rector, anxious to be shielded from the odium of the people, concealed himself under his Proctor, and choosing between the alternative of circumscribing the luxuries of *his own* family, or limiting the necessaries of that of the peasant, he gave up the latter to all the cruelties of exaction, and all the goadings of injustice,—though pressed down by the inexorable cruelty of the laws—laws, which the *Protestant*, for the sake of his *character* and his *religion*, should be given up by *him* to the vengeance of the common executioner—which blot and blacken the pages of our history—which make the last century an horrid interval of darkness, during which death, in the robes of law and the ermine of justice, went through the land, with the sword in one hand, and the statute-book in the other, laying waste the finest and richest energies of our

country—trampling down both mind and body, while our Legislators, like so many drunken maniacs, rioted in the portico of this great national prison, and as our immortal Curran *elegantly and truly* said, “*thinking themselves free when they had locked up their prisoners in their cells.*”—From the year 1735, when the Irish House of Commons passed the *infamous* vote relative to Agistment, until 1760, the poor people of Ireland bore their grievances in silence and in sadness ;—murmuring discontents, which *if expressed* would have been called “ treason, faction, rebellion, sedition,” by those very men who, to complete their own purposes, set the example of *all* ;—those discontents were no longer suppressed—a variety of causes contributed to fan the spark, which was so long smothered, into a flame, which desolated the finest portion of our country—which continues year after year to make its destructive progress, and which the wisest statesmen England ever saw, have acknowledged to be the greatest evil this or any other country can labour under. In the year 1760, an epidemic disease raged among the cattle throughout the greater part of Europe ; it originated in Holland—the mortality was so great, that an immediate *rise* took place in the value of lands in Ireland ; the price of

cattle rose in proportion, and every acre of ground which the grazier could reach, he converted into pasture—the husbandman was forced either to resign his farm, or to hold it at an extravagant rack-rent. Added to this excessive rent, he had to pay his tithe—and at a period when the price of labour was miserably low.—Will it be considered surprizing by the protestant reader, that the Catholic peasant should grumble at paying *a tenth* of his produce to a clergyman of another persuasion, when the rich Protestant *grazier* was not bound to pay *one* farthing.

What was the consequence? The poor people of the south rose in arms, and endeavoured to obtain, by force and violence, that relief which a protecting Legislature ought to have administered. Arthur Young, an Englishman, equally remarkable for the wisdom of his observations, as the benignity and impartiality of his views, looking at Ireland with the eye of an honest politician—pointing out the high road to fair dealing and integrity—thus writes;—“Those Tithe farmers are a *bad* sort of people—very civil to gentlemen, but exceedingly cruel to the poor; the great power of the Protestant gentleman rendering his composition very *light*, while the *poor* Catholic was made, in too many cases, to pay severely for the deficiency of his betters.”



What will an English reader say to this statement of Mr. Young?—Will he exclaim against the barbarism of Ireland, when he reads her excesses and her outrages, and takes into consideration the provocation which drove her to the committal of them?—The Irish Parliament were not idle during those scenes of civil war and convulsion;—the atrocities of the White boys, and the sanguinary violence of the laws, kept an equal pace, and frequently the murderer and the midnight plunderer found refuge in the *more* malignant cruelty of the law. Acts of Parliament now passed (said the same Mr. Arthur Young) which seemed calculated for the *meridian* of Barbary, and this arose to such an height, that by one they were to be hanged without the common formalities of a trial, which, though repealed the following Sessions, marks the character and spirit of punishment; while others yet remain the law of the land, that would, if executed, tend more to raise than quell an insurrection; from all which, (he goes on) it is manifest, the gentlemen of Ireland never thought of a radical cure, from overlooking the *real* cause, which in fact lay in themselves, and not in the wretches they doomed to the gallows. Notwithstanding those violent remedies—in the teeth of those furious and vindictive laws, the

country continued to be disturbed for the space of ten years, and at the termination of this period these disturbances ceased, as Mr. Arthur Young remarks; "Because a very considerable fall in the price of lands contributed much to abate them; and lessened the evil of hiring farms over the heads of one another." In 1784, the flame of popular tumult again burst forth, owing to the *extraordinary* fall in the value of lands after the American war;—the *fall* operating on the occupying tenant as grievously as the former *rise* in 1760;—the people were equally loud in their complaints against Tithes and Tithe-precursors, and were often heard to declare that they would bear *with willingness* the exactions of the middle man, if relieved from the more unjust, and consequently more corrosive impositions of the precursor.

We have now arrived at that period when Mr. Grattan took up the cause of a suffering people, with a heart full of sympathy for the miseries and wretchedness of an oppressed peasantry.—Eminently susceptible of all the finest feelings of our nature;—with a mind stored with the treasures of classic literature;—invigorated by the strength, and refined by the genius of ancient days;—with an eloquence of no common stamp; full—comprehensive—animating, and energetic;

on a subject of national grievance irresistible;—with an industry *seldom* the companion of such extraordinary powers—and an imagination capable of fascinating the dullest audience—he came forward to plead the cause of the Poor of Ireland against the wiles of the Castle—the corruption of the Treasury—the hypocrisy of the Priesthood, and the deep and mortal hatred of the English Cabinet. It has been said, by those who witnessed this great man's exertions in the years 1787—88—and 89—that the readers of his speeches can have but an humble idea of the enthusiasm they produced among his audience;—though burning under the rays of corruption, they often felt the influence of native talent, genius, and integrity. Though menaced by the rebuke of the Secretary, they have often involuntarily poured praise on the head, which they would afterwards have sacrificed to the vengeance of a vanquished Government. In those contests Mr. Grattan was opposed by every person, and every engine formidable to the State. The Crown Lawyers, with the late Lord Clare, who in the years 1787 and 88 was Attorney General, were arrayed against him, and, like Sampson, his strength was only called forth by the number of his enemies. Mr. Grattan, however, whose spirit is not inclined to bend, or

surrender to official petulance, or the ranting and swagger of Government bullies, was *not* to be deterred—he was *not* to be put down.—His talents commanded attention, and the Treasury, with millions at their back, could scarcely purchase a sigh of praise, when Mr. Grattan poured forth the treasures of his exhaustless understanding.—He has left on record the finest specimens of eloquence in the English language, and has given to Irishmen (if Irishmen shall ever see the resurrection of their country) the finest models of senatorial virtue, indefatigable industry, and exalted powers.

The reader of the following speeches on the subject of Tithes, while he is charmed by the effusions of a chastened and sublime imagination will smile at the absurdity and the weakness of the arguments which Mr. Grattan was obliged to combat—of which time has proved the folly, and the present degradation of Ireland has established the iniquity.—When he looks over the report of the Irish House of Commons, in 1790, and the Report of the Secret Committee of the House of Lords, in the same year, he will then see the predictions of Mr. Grattan most fully verified—the integrity of his great and enlarged views in 1788, confirmed—and the sophistry and hypocrisy of his antagonists unmasked.—

He will see the same Lord Clare, who defended the system of Tithes in 1788—who then contended, with an asperity, a petulance, and a boldness, worthy of the office he then filled, that Tithes were *not* a grievance—that they were not oppressive—he will see *even* that noble Lord obliged to admit, in 1799, that this very same system of Tithes was the grand impulse to rebellion—the powerful instrument, in the hands of Messrs. O'Connor, Emmet, and M'Nevin, to organize insurrection, and influence the peasantry.

Mr. Thomas Addis Emmet, when brought to the Bar of the House of Lords, in 1798, being asked, “What grievances his reformed legislation would remove?” answered, “In the first place, (said Mr. Emmet) it would cause a complete abolition of Tithes.”

Lord Clare put the following quere to Mr. Emmet. “Pray, Mr. Emmet, do you think Catholic emancipation and Parliamentary reform any objects with the common people?” Answer. “As to Catholic emancipation, I don't think it matters a *feather*, or that the poor think of it; as to Parliamentary reform, I don't think the common people ever thought of it, until it was inculcated to them, that a reform in

~~Parliament would come a removal of those grievances which they actually do feel."~~

In the examination of Messrs. O'Connor, Emmet, and M'Nevin, the reader will observe the most singular corroboration of every argument advanced by Mr. Grattan in the following speeches. When Mr. Emmet (whose character for *truth* and *talent* stood eminently high in Ireland) was asked by Lord Clare, "If his intention and that of the conspirators was not to overturn the church?" "Pardon me, my Lord," said Mr. Emmet, "my intention never was to destroy the church; my wish was to overturn the establishment."

To another question put by Mr. Foster, in the House of Commons—Mr. Emmet answered, with that sincerity which marked his character, and that accuracy which distinguished his mind.—Mr. Foster.—"Do you think, Mr. Emmet, the Catholics peculiarly object to Tithes?"—Mr. Emmet.—"They certainly have the *best* reason to complain! but I rather think they object more as *tenants* than as Catholics, and in common with the rest of the tenantry of the kingdom; and if any other way of paying even a Protestant establishment, which did *not* bear so sensibly upon their industry, were to take place, I believe it would go a great way to *content* them."

Let the reader of Mr. Grattan's opinions in 1788, mark the answer of Doctor McNevin, another leader in the rebellion of 1798.—When this gentleman was asked—Whether Mr. Grattan's *motion* about Tithes, was not a short cut towards putting down the established Church? He replied, “that if the stability of the established Church depends on the payment of Tithes, the church stands on a *weaker* foundation than in civility. I would have said of it; but of this I am *sure*—that if Tithes had been commuted, according to Mr. Grattan's plan---a *very powerful engine would have been taken out of our hands.*”

Should the readers of the following speeches, require more evidence to convince them of the wisdom and integrity of the principles they contain, I would refer them to the opinions of Mr. Pitt and Mr. Fox; to those of my Lord Grenville, and all those eminent statesmen who, with *various* views, have represented the Tithe system of Ireland, one of the most grievous and oppressive of which the population of any country have to complain---that some remedy should be applied to so calamitous a disease---that the bleeding wounds of our poor should be healed by the lenient hand of Administration---that the physical strength of Ireland should be conciliated.

at least by a disposition, on the part of its rulers, to lessen its vexations, and diminish its most painful privations, will be admitted by every true friend to the peace and the security of the British empire:—From an attentive perusal of the following pages, the young statesman will derive much information;—the industry he will there see exhibited, may animate him to honorable imitation; and the genius and integrity with which the cause of the poor is pleaded, may light up in his breast that spark of feeling for the sufferings of Irishmen, which foreign habits, and foreign connections, and foreign sympathies, might have otherwise extinguished.

On Saturday, the 10th March, 1787, Mr. Grattan gave notice, that he would, on the following Tuesday, bring on the subject of Tithes, in order to take the sense of the country gentlemen, whether any, and what regulation should hereafter take place for the benefit of the clergyman and the farmer, and how far it might be proper, this season, to lay a foundation for such a measure.

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Pursuant to the above notice, Mr. GRATTAN addressed the House, on Tuesday, 18th March, to the following effect:



"Sir, in this Session we have, on the subject of tumults, made some progress, though we have not made much. It has been admitted that such a thing does exist among the lower order of people as distress; we have condemned their violence, we have made provisions for its punishment, but we have admitted also, that the peasantry are ground to the earth; we have admitted the fact of distress.

"We have gone further; we have acknowledged that this distress should make part of our parliamentary enquiry—we have thought proper, indeed, to postpone the day, but we are agreed, notwithstanding, in two things—the existence of a present distress, and the necessity of a future remedy.

"A multitude of particulars would be tedious; but there are some features so very striking and prominent, we cannot avoid the sight of them. Our present system of supporting the clergy, is liable to radical objections; in the South, it goes against the first principle of human existence; in the South, you tithe potatoes. Would any man believe it? the peasant pays, I am informed, often 7*l.* an acre for land, gets 6*d.* a day for his labour, and pays from eight to twelve shillings for his Tithe!—If the whole case was comprized in this fact, this fact is sufficient to call for your inter-

reference, potatoes cultivation is its cradle, and tithe the lowest, the most general, and the most compassionate subsistence of human life—the more severely felt is this, because it is chiefly confined to the South, one of the great regions of poverty. In Connaught, potatoes do not pay Tithe; in the North, a moderate modus takes place when they do pay; but in the South they do pay a great Tithe, and in the South you have perpetual disturbances! That the tithe of potatoes is not the only distress, I am not now to be informed. 6*l.* or 7*l.* an acre for land, and 6*l.* a day for labour, are also causes of misery; but the addition of eight, ten, or twelve shillings Tithe, to the two other causes, is, and must be, a very great aggravation of that misery; and as you cannot well interfere in regulating the rent of land, or price of labour, I do not see that you therefore should not interfere where you can regulate and relieve; I do not see why you should suffer a most heavy Tithe to be added to the high price of rent, and the low price of labour; neither am I sensible of the force of that supposition, which conceives a diminution of the tithe of potatoes would be only an augmentation of the rent, for I do not find that rent is higher in counties where potatoes are not tithed, nor can I see how an existing lease can be cancelled, and the rent

increased, by the diminishing or taking off, the Tithe; neither, do I see, that similarity between Tithe and Rent, which should justify the comparison; rent is payment for land, tithe is payment for capital, and labour expended on land; the proportion of rent diminishes with the proportion of the produce, that is, of the industry; the proportion of tithe increases with the industry; rent therefore, even a high rent, may be a compensation on labour, and tithe a penalty. The cottager does pay Tithe, and the grazier does not; the rich grazier, with a very beneficial lease, and without any system of husbandry, is exempted; and throws the parson on labour and poverty. As this is against the first principle of husbandry, so another regulation is against the first principle of manufacture. You tithe flax, rape, and hemp, the rudiments of manufacture. Hence, in the North, you have no flax farmers, though there are many who cultivate flax. You give a premium for the growth of flax, a premium for the land carriage and export of corn, and you give the parson the tithe of the land, labour and cultivation occupied therein, contrary to the prosperity of either; as far as you have settled, you are wrong, and wrong where you have unsettled. What is the Tithe is one question, what is Titheable is another. Claims have been made to the

tithe left, the title of roots, moduses have been disputed, litigation has been added to oppression, the business has been ever shamefully neglected by Parliament, and has been left to be regulated, more or less, by the dexterity of the Tithe-proctor, and the violence of the parish, so that distress has not been confined to the people, it has extended to the Parson; your system is not only against the first principle of human existence—against the first principle of good husbandry—against the first principle of manufacture—against the first principle of public quiet—it goes also against the security and dignity of the clergy. Their case has been reduced to two Propositions, that they are not supported by the real Tithe or the Tenth, and that they are supported by a degrading annual contract; the real Tithe or Tenth is therefore unnecessary for their support, for they have done without it, and the annual contract is improper, by their own admission, and the interference of Parliament proper therefore. Certainly the annual contract is below the dignity of a clergyman; he is to make a bargain with the squire, the farmer, and the peasant, on a subject which they do, and he does not understand; the more his humanity and his erudition the less his income; it is a situation where the parson's property falls with his virtues, and rises with his

bad qualities. Just so the parishioner is led on by being ingenuous, and he saves by dishonesty. The pastor of the people is made a spy on the husbandman—he is reduced to become the annual teasing contractor and litigant; with a flock among whom he is to extend religion by his personal popularity; an agent becomes necessary for him, it relieves him in this situation; and this agent or proctor involves him in new odium and new disputes; the squire not seldom defrauds him, and he is obliged to submit in repose and protection, and to reprove on the cottager; so that it often happens that the clergyman shall not receive the thirtieth, and the peasant shall pay more than the tenth; the natural result of this is a system which makes the parson dependant on the rich for his repose, and on the poor for his subsistence. I am sure the spirit of many clergymen, and the justice of many country gentlemen, resist such an evil in many cases; but the evil is laid in the law, which it is our duty and interest to regulate.

“From a situation so ungracious, from the disgrace and loss of making in his own person a little bargain with squires, farmers, and peasants, of each and every description, and from non-residence, the Parson is obliged to take refuge in the assistance of a character, by name

a Tithe-farmer; and by profession an extortioner; this extortioner becomes part of the establishment of the Church; by interest and situation, there are two descriptions of men he is sure to defraud, the one is the Parson, the other the People. He collects sometimes at fifty per cent; he gives the clergyman less than he ought to receive, and takes from the peasants more than they ought to pay; he is not an agent who is to collect a certain rent; he is an adventurer, who gives a certain rate for the privilege of making a bad use of an unsettled claim; this claim over the powers of collection, and what is teasing or provoking in the law, it is in his hand an instrument not of justice but of usury; he sometimes sets the tithes to a second Tithe-farmer, so that the land becomes a prey to a subordination of vultures.

“In arbitrary countries, the revenue is collected by men who farm it, and it is a mode of oppression the most severe in the most arbitrary country; the farming of the revenue is given to the Jews. We introduce this practice in the collection of Tithes, and the Tithe-farmer frequently calls, in aid of Christianity, the arts of the synagogue;—obnoxious on account of all this, the unoffending clergyman, thrown off by the rich upon the poor, cheated most exceedingly by his Tithe-farmer, and afterwards involved in his

odium, becomes an object of outrage; his property and person are both attacked, and in both the religion and laws of your country scandalized and disgraced. The same cause which produces a violent attack on the clergyman among the lower order of the community, produces among some of the higher orders a languor and neutrality in defending him. Thus outraged and forsaken he comes to Parliament; we abhor the barbarity, we punish the tumult, we acknowledge the injury, but we are afraid of administering any radical or effectual relief; because we are afraid of the claims of the Church; they claim the tenth of whatever by capital, industry, or premium, is produced from land. One thousand men claim this, and they claim this without any stipulation, for what appears for the support of the poor, the repair of the church, or even the residence of the preacher. Alarmed at the extent of such a claim, we conceive that the difficulty of collection is our security, and fear to give powers which may be necessary for the collection of customary Tithes, lest the Clergy should use those powers for the enforcing of a long catalogue of dangerous pretensions. We have reason for this apprehension; and the last clause in the riot-act has prompted a clergyman in the South to demand the Tithe of Agist-

ment, and to attempt to renew a confusion which your act intended to compose. The present state of the clergyman is, that he cannot collect his customary Tithe without the interference of Parliament, and Parliament cannot interfere without making a general regulation, lest any assistance now given should be applied to the enforcement of dormant claims—ambiguous and unlimited.

“Thus, I submit to this House, the situation of the clergy, as well as of the people—call on you to take up at large the subject of the Tithe. You have two grounds for such an investigation—the distress of the clergy, and the distress of the people.

“Against your interference three arguments are objected, two of which are fictitious, and one only is sincere. The sincere but erroneous objection is, that we ought not to affect in any degree the rights of the Church; to which I answer briefly, that if, by the rights of the Church, the customary Tithes only are intended, we ought to interfere to give and secure the full profit of them; and if, by the rights of the Church, are meant those dormant claims I alluded to, we ought to interfere to prevent their operation.

“Of the two arguments, that one on petitions relies on the impossibility of making



any commutation; but this argument rather fears the change than the difficulty. This argument is surely erroneous, in supposing that the whole wit of man, in Parliament assembled, cannot, with all its ingenuity, find a method of providing for 9000 persons. We who provide for so large a Civil List, Military List, Pension List, Revenue List, cannot provide for the Church. What! is the discovery of the present income of the Church an impenetrable mystery? Or is it an impossibility to give the same income, but arising from a different regulation, fixing some standard in the price of grain; or if commutation be out of the power of human capacity, is this establishment of a *modus* impossible; different, perhaps, in the different counties, but practicable in all? Or if not practicable, how comes it that there should be a *modus* established in some parts of Ireland already for some titheable articles? Is it impossible to have a moderate *modus* on corn, and some *modus* on pasture? Or to lay on potatoes a very small *modus*, or rather to exonerate them as well as flax? Would it not be practicable to get rid of the Tithe-farmer, and give his plunder between the people and the parson? If all this be a difficulty, it is a

difficulty which is worthy of you, and if you succeed in any part of it, you do service.

“The other argument relies on the times, and I acknowledge they are an objection to the Bill at present, but none against the laying the foundation now of a measure to take place on the restoration of public peace; it may be an inducement to that peace, it cannot be an incentive to the contrary; it is giving Government the full force of reward and punishment; and I apprehend, if no step whatsoever was taken, and no debate introduced at present, nothing would be done in future. I shall therefore trouble you with a motion now, and next Session with a Bill on that subject.”

He then moved the following resolution :

“That, if it shall appear, at the commencement of the next Session of Parliament, that public tranquillity has been restored in those parts of the Kingdom that have been lately disturbed, and due obedience paid to the laws, this House will take into consideration the subject of Tithes, and endeavour to form some plan for the honorable support of the clergy, and the ease of the people.”

To the preceding speech Mr. Secretary ORDE replied in the following words:—as this short speech contains all the leading objections of Mr. Grattan's opponents, we shall give it insertion, as well for the purpose of exhibiting the sophistry which opposed itself to every honest and benevolent effort then made by the friends of Ireland, as to give to the reader an opportunity of fully estimating the strength and triumph of Mr. Grattan, when called on to refute them.

“ Sir, I have listened with anxiety and concern to the speech of the right honorable gentleman, and I am sorry to say that the motion with which he concludes increases that anxiety and concern. I did intend, even while he was speaking, to take the liberty to remind him, that under the present circumstances of the country, it was impossible in any degree to hold out an expectation that the House would enter upon the subject.

“ I did hope, when the right honorable gentleman admitted that the distresses of the poor people of the South arose from other causes than Tithes, from excessive rent, and insufficient wages, he would put an end to the conversation. I did think that having said, as the rent increased

that the Tithe ought to be diminished, he would have perceived that such a principle would go to the utter extinction of Tithes whenever the rent rose to a certain height; and I do now declare, that if we look at the benefit of the poor through such a medium as this, I must give my decided opposition to it; for nothing that I have heard shall induce me, at this time; and under the present circumstances of the country, to give an opinion that the subject ought ever to be discussed; and setting aside all other reasons, I will not hold out any expectation to people in their situation.

“The right honorable gentleman has said he will again bring forward this subject to the notice of Parliament. Sir, there is no member more capable of giving consequence to any subject, or who would be listened to with more attention by this House, than the right honorable gentleman; but I entreat the House, again and again, that they will suffer the right honorable gentleman to retain his intention in his own breast, and give it no encouragement. For my own part, if I am now forced to pass my judgment on this proposition, I shall in the most decided manner say *no*, not only with respect to the present moment, but with respect to futurity; for, Sir, should we agree to the motion, we should capitulate with insur-

rection, and offer a reward for that obedience to the laws, on which we have a right to insist.

“ The right honorable gentleman says that other parts of the country, as well as the South, complain of grievance, but that they do not at this moment press for attention. Sir, they are very wise in this, their conduct is extremely commendable, and I would advise them strongly to consider the ill consequences that even a regard to them might be attended with; that might be attributed more to a concession to tumult, than to a just consideration of their claims. This House will always be ready to listen to the complaints of the people, when offered in a constitutional manner. Nothing has reached us in that way—no petition to make us acquainted with grievances preceded the improper attempt to redress them by force. I do not mean to call for petitions, for if any were offered during the continuance of disturbances, they ought not to be listened to. If, indeed, we were to form a judgment of the reality of their distresses by their mode of proceeding, we should rather be disposed to give them little credit; because from the beginning they seemed to shun all proper means of soliciting attention to their distresses, they can therefore at present appear to us in no other light than as pretences for outrage.

"Sir, I do hope and earnestly request that the right honorable gentleman will withdraw his proposition, otherwise I must give it a decided negative."

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Mr. GRATTAN then rose, and addressed the Speaker:

"Sir, the subject has been agitated in such a variety of different ways, and opposed by so many gentlemen, that even at this late hour of the night, I feel myself under the necessity of making some observation; and at the same time I assure the House, that nothing but a conviction of the propriety of the motion could make me resist the wishes of so many gentlemen, whom personally I love and respect; but I would appear a very light man, should I, by withdrawing the motion, give any ground to suppose, that I have taken up the subject without the most mature consideration, or that I would hazard such a motion without duly considering its consequences. This is not the case; and therefore it is not the smallness of the minority in which I might be found that would induce me to relinquish a measure arising from justice, mercy, and true policy. The only effect a defeat on the present occasion

can produce is, to confirm me in a resolution of doing, in the next Session, that which the situation of the Church and the People both require. I have the utmost veneration, love, and respect for the Church, which I am determined to prove, not by words only, but by acts. I have heard, indeed, very plausible professions of regard to the Church; but while they remain mere words, unaccompanied by deeds, I shall pay little regard to them. I am determined to prove my affection to the Church by my actions; by securing her Ministers in an honorable affluent independence, and by removing every cause of dispute that could endanger their persons or properties.

“I could have wished that Government had not taken any part in the business. I cannot see what an English Cabinet, or an Irish Secretary, has to do with it. The gentlemen of the country know best their own situation; it must therefore be left to them. On the Riot-bill, the House had resolved themselves into a committee on that part of the Lord Lieutenant's speech which respected the disturbances; they did not, however, examine at all whether there were any disturbances, but they adopted a measure more adapted to an adult sedition than to the suppression of a flying peasantry. However, as Ministers were respon-

sible for the quiet of the country, the measure was agreed to; but having done so, it certainly is now necessary to enquire into the distresses of the people—to enquire into their grievances after they had become coerced into obedience—after it has been declared, by some of the first officers of the State, and allowed by every one, that they were bowed down with misery, and ground to powder with oppression;—after we had passed a law to shoot, and to hang, and to whip, and to banish, and to imprison them, could it be thought too soon to enquire into their grievances? It might, indeed, be too late, but the dignity of Parliament would be injured. And how has the right honorable gentleman maintained that dignity? By sealing up the lips of the majority, and pronouncing his *veto* against compassion. I should have wished he had not rose, or that the imperial *veto* had not sealed up the springs of humanity.

“ It has been said that the exoneration of potatoes from tithe would be of no advantage to the poor. Where have gentlemen learned this doctrine? Certainly not in the report of Lord Carhampton. Or will they say, that taking sixteen shillings an acre off potatoes, is no benefit to the miserable man who depends on them as his only food?



“It has been admitted that some tithes are illegal, such as those on turf, and the poor man is advised to institute a lawsuit for relief. Are gentlemen serious when they give this advice? or will they point out, how the man who earns five pence a day is to cope with the wealthy Tithe-farmer who oppresses him?

“It has been said we should not pay any regard to people in a state of resistance—that it would be derogatory to the dignity of Parliament, and that they should apply in proper form. I laugh at this holty toity kind of language; there can never be a time when it is improper for the Legislature to do justice.”

The question was then put for going into the order of the day, (to supersede Mr. Grattan's motion) and it was carried without a division.

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On the 29th January, 1788, Mr. Grattan recalled to the memory of the House, the notice, which last Session he had given, of his intention, in the course of the present, to lay before the House a plan for the commutation of Tithes, and better maintenance of the Clergy.—He *now* gave notice, that it was his determination, as soon as the public business relative to the accounts and

supply should be dispatched, to enter immediately upon the subject of Tithes; and he did not despair of being able to offer to the House a plan perhaps not altogether perfect, but such as the wisdom of Parliament might easily mature into such a system as would give the clergy a more comfortable and more honourable support than they at present possess, without proving in any degree burdensome to the farmer, or cultivator of land.—Mr. Grattan saw no difficulty in uniting the interests of the clergyman and farmer, and *putting an end for ever* to those dissensions, so injurious to both; at present he would not go farther into the subject, because he conceived it could not be investigated, on broad and extensive ground, till after the public business had been gone through.

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On the 14th July, 1788, Mr. Grattan addressed the House on the great and interesting question of Tithes.—Mr. Beresford had intended to bring forward a question of considerable importance, but conscious that Mr. Grattan's notice of his motion, on the subject of Tithes, for that day, had excited unusual expectation, he postponed the consideration of his own motion to a future period.

Mr. GRATTAN began by observing, that it was *not* his intention to surprize the House at present, by introducing so important a subject as that of Tithes.—“I would prefer,” said Mr. Grattan, “submitting the grievances complained of by the peasantry, to a committee, who would examine if they really existed or not.—That such a mode of proceeding would meet with the approbation of the House, I have no doubt, as the committee, by considering the magical error in its true form, would see the necessity of a commutation of Tithes—a commutation that, were I to propose in the first instance, without convincing the House that the peasantry were really distressed—might bring on an opposition that I would wish, if possible, to see avoided on the present momentous subject.—It was a position in politics, as well as in physics, that for the purpose of removing the complaint, it was necessary for the physician to know the nature of the disorder.—For this purpose there are many respectable witnesses ready to attend, to prove their allegations, which I am convinced, would show the necessity of a reformation being made in the mode of provision for the clergy.—I therefore move, ‘That a Committee be appointed to inquire, whether any just cause of discontent exists among the people of the province of

**Munster, or of the counties of Kilkenny or Carlow, on account of Tithe, or the collection of Tithes, and if any, to report the same, with their opinion thereupon.'**

**"In this Committee I shall state, and bring evidence of the grievances under which the wretched people labour.—In this Committee I shall also submit what occurs to me as the proper remedy.—I do not wish, in the first instance, to usher these matters to the House, because, as I said before, I am unwilling to risk the interest of the Clergy—the cause of the Poor—the happiness of the country, upon my opinion.—Let me then beseech an inquiry, from which much good, and no mischief whatever can possibly result."**

**The Attorney-General (Mr. Fitzgibbon, afterwards Lord Clare) and colonel Hobart, objected strongly to the mode pointed out by Mr. Grattan.**

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**Mr. GBATTAN immediately rose, and spoke as follows :**

**"Sir, the people in the South have grievances, and one of their principal grievances is Tithe—do not take it upon my authority, go into a committee. It has been said, in defence of clerical exactions, that though sometimes exorbi-**

tant, they have never been illegal. I deny it; and will produce proof at your bar, that exactions in some of the disturbed parts have been not exorbitant only, but illegal likewise. I will prove that, in many instances, Tithe has been demanded, and paid for turf; that Tithe of turf has been assessed at one or two shillings a house like Hearth-money; and in addition to Hearth-money, with this difference, that in case of Hearth-money, there is an exemption for the poor of a certain description; but here, it is the poor of the poorest order, that is, the most resistless people, who pay. I will prove to you, that men have been excommunicated by a most illegal sentence, for refusing to pay tithe of turf. I have two decrees in my hand from the Vicarial Court of Clyne; the first excommunicating one man, the second excommunicating four men, most illegally, most arbitrarily, for refusing to pay tithe of turf: nor has tithe of turf, without pretence of law or custom, been a practice only; but in some part of the South, it has been a formed exaction with its own distinct and facetious appellation, the familiar denomination of Smoak-money. A right to tithe of turf has been usurped against law, and a legislative power of commutation has been exercised, I

suppose for familiarity of appellation and facility of collection.

“ I am ready, if the House will go into the inquiry, to name the men the parish, and all the circumstances.

“ I understand, that in some cases this demand has ceased ; that is, it has been interrupted by the torres of resistance ; not by a respect for the law (a sad encouragement this to disturbance) but even in some of these cases the claim has been preserved, though the attempt has been deterred ; and to an endeavour to preserve this claim, and to insert it in the body of the agreement with the parish, are we to attribute, in some places, I understand, the defeat of composition and of concord.

“ It has been urged, the law would relieve in the case of demand for tithe of turf—but you have admitted the poverty of the peasant, and you cannot deny the expense of litigation. Sir, the law has been applied, and has not relieved.

“ I have authority from a person, now a most eminent judge, and some years ago a most distinguished lawyer, to affirm to this House, that he, in the course of his profession, did repeatedly take exceptions to libels in the Spiritual Court for tithe of turf, and that they

were uniformly over-ruled ; and "I have the same authority to affirm to you, that the Spiritual Courts do maintain a right to tithe for turf, and that in so doing, they have acted, and do act, in gross violation of the law.

"I am informed that Tithe has been demanded for furze spent on the premises ; and therefore, in circumstances not subject to Tithe, a demand oppressive to the poor, and repugnant to the law.

"Under this head the allegation is, that in some of the disturbed parishes of the South, Tithe has been demanded and paid, without custom, and against law ; and that the Ecclesiastical Courts have allowed such demands against law ; and this will be verified on oath.

"The exactions of the Tithe-proctor are another instance of illegality—he gets, he exacts, he extorts from the parishioners, in some of the disturbed parishes, one, frequently two shillings in the pound. The clergyman's agent is then paid by the parish, and paid extravagantly. The landlord's agent is not paid in this manner ; your tenants don't pay your agent ten per cent. or five per cent. or any per centage at all : What right has the clergyman to throw his agent on his parish ? As well might he make them pay the wages of his butler," or

his footman, or his coachman, or his postillion, or his cook.

“This demand, palpably illegal, must have commenced in bribery—an illegal perquisite growing out of the abuse of power—a bribe for mercy;—as if the Tithe-proctor was the natural pastoral protector of the poverty of the peasant, against the possible oppressions of the law, and the exactions of the gospel. He was supposed to take less than his employer would exact, or the law would allow; and was bribed by the sweat of the poor for his perfidy and mercy. This original bribe has now become a stated perquisite; And, instead of being payment for moderation, it is now a per centage on rapacity. The more he extorts for the parson, the more he shall get for himself.

“Are there any decent Clergymen, who will defend such a practice? Will they allow that the men they employ are ruffians, who would cheat the parson, if they did not plunder the poor; and that the clerical remedy against connivance, is to make the poor pay a premium for the increase of that plunder and exaction, of which they themselves are the objects?

“I excuse the Tithe-proctor; the law is in fault, which, gives great and summary powers to the indefinite claims of the Church, and suffers both to be vested in the hands.



not only of the parson, but of a wretch who follows his own nature, when he converts authority into corruption, and law into speculation.

“I have seen a catalogue of some of their charges; so much for potatoes; so much for wheat; so much for oats; so much for hay—all exorbitant; and after a long list of unconscionable demands for the parson, comes in a speculation for the proctor: two shillings in the pound for proctorage—that is, for making a charge, for whose excess and extravagance the proctor ought not to have been paid, but punished.

“Thus speculation has now become a law; the proctor’s fees, paid at first for a low valuation, are now in some cases added to a full one; and the parish is obliged to pay ten per cent. to the proctor, for the privilege of paying the full Tithe to the parson.

“Under this head the allegation is, that the Tithe-proctors, in certain parishes in the South, do ask and extort from the poor parishioner one or two shillings in the pound, under the description of proctorage—a fee at once illegal and oppressive; and this they are ready to verify at your bar.

“It has been said, that an equity has been always observed, in favour of the tiller of the soil.

This, I understand, will be controverted; and it will be proved, that in some of the disturbed parishes, the demands of the following articles will be found to pay Tithe :—wheat, potatoes, barley, beer, rye, flax, hemp, sheep, lambs, milch-cows, turf, pigs, apples, peaches, bees, cabbage, eoziers; in some, oblations, easter-offerings, burial-money.

“ I understand that every thing, of any consequence, which is tithed in any part of Ireland, is tithed in Munster; that potatoes, which are tithed in no other part of Ireland, are tithed here; and that each article is, in most of the disturbed parts, tithed higher than in any other part of Ireland.

“ I understand that it will appear, that in some parts of Kerry, they tithe potatoes 1*l*.—wheat 16*s*.—barley 13*s*.—oats 12*s*.—hay 2*s*.

“ In Kerry they do not measure by the acre, but the spade. They reckon, as I am informed, the breadth of their potatoe-ridge, or trench, to be an Irish perch, or ten feet and an half; the length, therefore, when 320 perches make an acre, they measure by the spade length, which is five feet and an half long; twenty of these Irish spades they suppose to contain eighteen stone of potatoes, or what they call two Kerry pecks; and as there are little more than sixty-

one score spades in the bed of 320 perches, that is, in an acre, the whole quantity of potatoes is valued at 1100, or 122 Kerry pecks, which averages at twenty-pence the peck, that is 20s. the acre for tithe of potatoes.

“In a parish in the county of Cork, I understand, the following demand was made, and paid :

“Wheat 8s. the English acre—barley, the same—meadow 4s.—oats 4s.—potatoes 12s.—proctor’s fees 2s. 2d. in the pound, and this not for one year, but a succession. This, when valued by the Irish acre, is, for wheat 13s.—barley 13s. meadow 6s. 6d.—oats 6s. 6d.—potatoes 19s.

“This will better appear, by stating to you some of the proctor’s bills for a series of years, which I understand will be proved at your bar.

In the year 1782.

|                                 | l. | s. | d. |
|---------------------------------|----|----|----|
| For 113 English acres of meadow | 21 | 16 | 0  |
| 16 ditto barley . . . . .       | 5  | 12 | 0  |
| 8 ditto oats . . . . .          | 1  | 12 | 0  |
| 2 ditto potatoes . . . . .      | 1  | 4  | 0  |
| 2s. proctorage . . . . .        | 3  | 9  | 0  |

In the year 1783.

|                                |    |   |   |
|--------------------------------|----|---|---|
| 92 English acres of meadow . . | 18 | 0 | 0 |
| 18 ditto oats . . . . .        | 3  | 0 | 0 |

|                                     | <i>l.</i> | <i>s.</i> | <i>d.</i> |
|-------------------------------------|-----------|-----------|-----------|
| 4 ditto potatoes . . . . .          | 2         | 8         | 0         |
| 2s. in the pound proctorage . . . . | 2         | 12        | 0         |

Valuation for 1784.

|                                     |    |    |   |
|-------------------------------------|----|----|---|
| 74 acres of meadow . . . . .        | 14 | 0  | 0 |
| 9 ditto, second crop potatoes . . . | 4  | 10 | 0 |

For 1785.

|                                     |   |    |   |
|-------------------------------------|---|----|---|
| 8 acres barley, second crop . . . . | 2 | 16 | 0 |
| 4 ditto potatoes, second crop . . . | 0 | 10 | 0 |

For 1786.

|                                     |   |    |   |
|-------------------------------------|---|----|---|
| 3 1-2 acres potatoes and flax . . . | 2 | 2  | 0 |
| 2 ditto barley . . . . .            | 0 | 16 | 0 |
| 7 ditto meadow . . . . .            | 1 | 1  | 0 |
| 10 cows . . . . .                   | 0 | 3  | 4 |

“ You will observe, that these are all the English acre, and make the acreable ratages about what I have stated, in round numbers. I have also to produce several affidavits of different people, (peasants I suppose they are) from the county of Cork. The brief of which affidavits I will now state to you;—they depose, that a charge was made of ten shillings (English acre I am informed) for wheat, and ten for potatoes, of the worst kind.

“ That a charge was made of twenty shillings for an acre and half of barley, and that the crop was a bad one.

.. "That a charge was made and exacted, of 16 shillings for half an English acre of wheat, and half an acre of oats. . . .

.. "They prove that the Tithe has increased of late, in some parts, from 5 to 8, or 10 shillings, the English acre for potatoes; from 4 to 8, or 10 shillings for wheat; and for barley, oats, and hay, in a similar proportion. . . .

.. "They prove that the charges in the Ecclesiastical Courts have swelled to ten times the original sum. . . .

.. "They prove that the Tithe demanded in 1786, in some instances, exceeded the rack-rent of the land; they prove that it is a practice to charge for more acres than the peasant has in tillage—and they produce the charge of the proctor, and the return of the surveyor; they prove that the prices charged, in some instances, in 1786, exceeded the value of the Tithe. . . .

.. "They prove an unchristian and uncharitable exaction. What credit is to be given to these affidavits, you will be the best judge when you go into the committee; but this I think, even on the statement, you can decide that these peasants have been oppressed by Tithe, and, however fondly and partially these men may state their own case, yet it appears that they have a case which you ought to consider, and that there has

not be that moderation on the part of parson and prebtor, as by the former is so confidently alleged.

"I understand, in the course of your inquiry it will appear, that a living has been lately and rapidly raised from 60*l.* to 800*l.* by the new incumbent; that a farm, from 12*l.* a year Tithé, has been raised to 60*l.*—that a living, in these disturbed parts, from 120*l.* has been, in the same manner and expedition, raised to 340*l.*—that another living, in these disturbed parts, in the same manner, has been raised from 200*l.* to 1000*l.*

"I understand, it will appear to you, that 14*l.* have been demanded and paid for 14 acres, the rent of which was only 1*l.* 1*s.*; that tax has been in some of those disturbed parts rated exorbitantly—that rape has been rated at one guinea an acre; nay, one return goes so far as to say, 16*l.* were demanded for four acres of rape. These particulars you will judge of, when you open your committee, how far they may be exaggerations, how far they may be grievances, after every allowance for sanguine statement on the part of the husbandman.

"But there are some returns which cannot be exaggerations, and which are exorbitant—they are the returns of the proper officer appointed by

the Court of Chancery, to try petitions under the Compensation-act.

From Limeric there are five, one is

|                      |             |                           |                |
|----------------------|-------------|---------------------------|----------------|
| Flax, from . . . . . | 10s. to 0s. | Meadow, from . . . . .    | 2s. 3d. to 3s. |
| Potatoes . . . . .   | 8. — 19     | Sheep . . . . .           | 0 4 — 0        |
| Wheat . . . . .      | 6 — 0       | Lambs . . . . .           | 0 3 — 0        |
| Barley . . . . .     | 6 — 0       | Cows . . . . .            | 0 2 — 0        |
| Oats . . . . .       | 4 — 5       | Receivers' fees . . . . . | 2 2 — 0        |

Proved to have been constantly paid.

November 5th, 1787—Average valuation allowed.

|                    | Per Acre. |                  | Per Acre. |
|--------------------|-----------|------------------|-----------|
| Flax . . . . .     | 12s. 0d.  | Oats . . . . .   | 4s. 0d.   |
| Potatoes . . . . . | 10 0      | Meadow . . . . . | 2. 20     |
| Rye . . . . .      | 6 0       |                  |           |

Cows 4d. each.

October 31, 1787—Average valuation allowed.

|                    | Per Acre. |                  | Per Acre. |
|--------------------|-----------|------------------|-----------|
| Potatoes . . . . . | 10s. 0d.  | Oats . . . . .   | 4s. 0d.   |
| Wheat . . . . .    | 10 0      | Meadow . . . . . | 2. 20     |

Cows 3d. each.

December 10th, 1787—Average valuation allowed.

|                    | Per Acre. |                  | Per Acre. |
|--------------------|-----------|------------------|-----------|
| Wheat . . . . .    | 9s. 0d.   | Oats . . . . .   | 4s. 0d.   |
| Potatoes . . . . . | 8 0       | Meadow . . . . . | 2. 20     |
| Barley . . . . .   | 7 6       |                  |           |

Sheep 4d.; Cows 2d. each.

October 18th, 1787—Valuation, per report made to the Lord

Chancellor,

|                    | Per Acre. |                  | Per Acre. |
|--------------------|-----------|------------------|-----------|
| Potatoes . . . . . | 12s. 0d.  | Barley . . . . . | 10s. 0d.  |
| Flax . . . . .     | 12 0      | Oats . . . . .   | 4s. 0d.   |
| Rye . . . . .      | 12 0      | Meadow . . . . . | 2. 20     |
| Wheat . . . . .    | 10 0      |                  |           |

Cows, 3d.—Sheep and Lambs together, 3d.

"I shall now read you the return from Cork, from the proper officer appointed to try positions. The return consists of different acreable ratages. The acre, I am told, in that country, is the English acre: if so, the ratages are as follow:

| Potatoes. |    |        | Wheat. |    |        | Barley. |    |        | Oats. |    |        | Meadow. |    |        |
|-----------|----|--------|--------|----|--------|---------|----|--------|-------|----|--------|---------|----|--------|
| E.        | A. | Ir. A. | E.     | A. | Ir. A. | E.      | A. | Ir. A. | E.    | A. | Ir. A. | E.      | A. | Ir. A. |
| s.        | s. | d.     | s.     | s. | d.     | s.      | s. | d.     | s.    | s. | d.     | s.      | s. | d.     |
| 5         | 8  | 1      | —      | —  | —      | —       | —  | —      | —     | —  | —      | —       | —  | —      |
| 6         | 9  | 9      | —      | —  | —      | —       | —  | —      | —     | —  | —      | —       | —  | —      |
| 7         | 11 | 4      | 6      | 9  | 9      | —       | —  | —      | 2     | 6  | 4      | —       | —  | —      |
| 8         | 13 | 0      | 7      | 11 | 0      | —       | —  | —      | 3     | 4  | 10     | 2       | 3  | 3      |
| 9         | 14 | 0      | 8      | 13 | 0      | 5       | 8  | 1      | 4     | 6  | 6      | 3       | 4  | 40     |
| 10        | 15 | 0      | 10     | 16 | 0      | 6       | 9  | 9      | 5     | 0  | 8      | 4       | 6  | 59     |

"I believe there is no man who hears these charges, that will not pronounce some of them exorbitant, unconscionable, and totally different from those which the advocates for Tithe have ventured publicly to acknowledge or defend. I believe no man who hears these ratages, that will not say, that some of them preclude the idea of any equity in favour of the tiller of the soil, and that the person who makes such a demand means to exact the last penny of his claim, and if he talks of moderation is a hypocrite.

"As to potatoes, the clergyman ought not to proceed with reference to the produce, but the price of labour: in the parts of which I have been speaking, the price of labour is not more than 5d. a day the year round; that is, 6l. 4s. the year; supposing the labourer to work every day



but Sunday, making an allowance for sickness, broken weather, and holidays, you should strike off more than a sixth: he has not in fact then more than 5l. a year by his labour; his family average about five persons, nearer six, of whom the wife may make something by spinning (in these parts of the country there are considerable manufactories.) Five pounds a year, with the wife's small earnings, is the capital to support such a family, and pay rent and hearth-money, and in some cases of illegal exaction, smook-money to the parson.—When a gentleman of the church of Ireland comes to a peasant so circumstanced, and demands 12 or 16s. an acre for tithe of potatoes—he demands a child's provision—he exacts contribution from a pauper—he gleans from wretchedness—he leases from penury—he fattens on hunger, raggedness, and destitution.—In vain shall he state to such a man the proctor's valuation, and inform him, that an acre of potatoes, well tilled, and in good ground, should produce so many barrels; that each barrel, at the market price, is worth so many shillings, which, after allowing for digging, tithes at so much.

“The peasant may answer this reasoning by the Bible; he may set up against the tithe-proctor's valuation the New Testament—the precepts of

Christ against the clergyman's arithmetic ; the parson's spiritual professions against his temporal exactions, and in the argument, the peasant would have the advantage of the parson. It is an odious contest between poverty and luxury—between the struggles of a pauper and the luxury of a priest.

“ Such a man making such a demand, may have many good qualities ; may be a good theologian ; an excellent controversialist ; deeply read in church history ; very accurate in the value of church benefices ; an excellent high priest—but no Christian pastor. He is not the idea of a Christian minister—the Whiteboy is the least of his foes—his great enemy is the precept of the gospel and the example of the apostles.

“ With respect to the rudiments of manufacture, you ought not to proceed according either to the produce or price of labour—you should observe an equity in favour of the manufacturer. When 12s. an acre are demanded for flax, the tithe is fatal to the progress of the linen trade in the South—and the great words *increase and multiply* meet obstruction in this instance, from some of the ministers of the gospel, or those employed by them, preventing the growth of manufacture and population, by the excess of demand and the love of riches. England established a *modus*

for flax, a modus for 5s. an acre, and yet the linen manufacture is not the staple of England, but was given up by England to be the staple of Ireland. The Parliament of England establishes there a modus of 5s. an acre for your staple, and some of your clergy here demand for it 12s. an acre.

“ Under the head of excess the following allegation is submitted to your consideration; that in certain parishes of the South the charge for tithe has been unconscionable, and has not observed an equity in favour of the husbandman, the poor, or the manufacturer.

“ But the law would relieve; turn to the Ecclesiastical Courts—the judge is a clergyman, or appointed by a clergyman, and of course is a party judge; and though in some cases his personal rectitude may correct his situation, and prevent him from being a partial, yet, from the constitution of his court, he is a party judge.—The Ecclesiastical Courts in England maintained gravel and stone to be titheable, as some of ours have maintained turf to be titheable. Lord Holt said, they made every thing titheable; “but, says he, I do not regard that; the Pope, from whom our clergy derive their claim, though they depart from its alleged application, subjected to tithe the gains of the merchant, and the pay of the

array—the canons went farther, and held the tithe of fornication and adultery to be the undoubted property of the church.” We are now too enlightened to listen to claims carried to so very great an extent, and Ecclesiastical Courts are less extravagant now ; but still, the principle continues, the bias continues—still they are party courts ; the evidence, like the judge, is a party—he is worse, he is frequently the servant of the party, and the nature of his evidence is the best calculated to give every latitude to partiality and corruption ;—he generally views the crop, when the crop is ripe, or when the ground is red ; in the first case he cannot, with any great accuracy, ascertain the quantum of produce, and in the last case, he cannot, with any accuracy at all ; and yet, without survey, without measure, and in some cases, without inspection of the crop, hear him swearing before a party judge, to the quantum of ground and produce !

“ I have selected some cases from the Vicar’s Court of Cashel.—I will read them, and on some of them will make such observations as occur to me. I will begin with the year 1766, to prove the present mode and measure to be encroachment.

1766.

*Seymour* against *Burke*.—Subtracted two-thirds of, two acres of bere, two acres of oats, five acres of oats, and one acre and an half of potatoes, and three acres of meadowing, parish of Ballybrood, and county of Limeric, valued at 1*l.* 12*s.* it was proved that all the tithes of said parish belonged to promovent, and that two-thirds of the tithes were subtracted by the impugnant.

*Hanley* against *Ryan* and others.—Seven lambs and forty-two sheep, 8*s.* 2*d.*—one acre of oats and potatoes, 3*s.*—half an acre of oats, 1*s.* 6*d.*—seven acres of meadow, at 1*s.* 6*d.* per acre, 10*s.* 6*d.*

1767.—They had two acres of potatoes, 10*s.*—two acres of new potatoes, 12*s.*—three roods of oats, 2*s.* 3*d.*—six acres of meadow, at 1*s.* 6*d.* an acre—forty-one sheep, and twelve lambs, at 2*d.* a piece, 8*s.* 10*d.*

1768.—They had four acres of potatoes, 1*l.*—half an acre of new potatoes, 3*s.*—six acres of meadow, 9*s.*

September 1, 1769—Knockgraffon.

The reverend *Nicholas Herbert* against *Parker*.—Eight acres of wheat, at 5*s.* an acre.

*Massey* against *Smithwick*.—Oats one acre

and an half, 6s.—on the lands of Ballynagrana, in the parish of Emly.

*Morgan* against *Fitzpatrick*.—Ballydarrid, diocese of Cashel. One acre and a half of bere, 7s. 6d.—two acres of meadow, at 2s. 6d. each, 5s.—three acres of oats, at 2s. 6d. each, 7s. 6d.

February 16, 1771.

*Doctor Jervais* against the *Morrissey's*.—Half an acre of potatoes, 4s.—one acre and an half of wheat, 12s.—six acres of meadow, 18s.—two acres of oats, 8s.—one acre of wheat and some potatoes, 8s.—one acre of wheat and some potatoes, 6s.—one acre of wheat and some potatoes, 8s.—half an acre of potatoes and oats, 3s.—half an acre of wheat, 4s.—half an acre of potatoes, 4s.—one acre of oats and potatoes, 6s.

*Cooper* against *Glissan*.—One acre of oats, 3s. 6d.—one acre of bere, 5s.—two acres of wheat, 10s.—two acres of rape, 14s.

February 8, 1772.

*Lloyd* against *Hourigan*.—Subtracted in 1770 an orchard on the lands of Grange, in the parish of Cahirconlish, two-thirds of the Tithes, 1l. 6s. 8d. and on the lands of Knockeen, another orchard, two-thirds of the Tithes of which, 16s. 8d.

*Hanley* against *Sudlier*.—Thirty acres of mea-

dow, at 1s. 1d. an acre—twelve acres of meadow, at 1s. 6d. an acre—Decreed, with 6s. 8d. cost—  
Note, the lands in the Union of Tqom.

January 23, 1773.

*Blake against Bryan.*—Brittas in the parish of Thurles, impugnant in 1771 subtracted two one-half acres of potatoes, at 7s. 6d.—one acre of barley, at 5s.—eighteen acres of meadow, at 3s.—And in 1772 he subtracted seven one-half acres, at 8s.—four one-half acres of bere, at 7s.—four one-half acres of barley, at 5s.—eight acres of oats, at 5s.—twelve acres of meadow, at 8s.

January 8, 1774.

*Moore against several persons.*—Barley, 6s. 6d. an acre—wheat, 7s.—meadow, 2s. 6d.—potatoes, 8s.—in the parish of Emly.

*Riall against several persons.*—Five one-half acres of potatoes, 1l. 13s.—two acres of oats, 8s.—one one-half acre of meadow, 6s.—one acre of rape, 8s.—Killenaule, decreed with 6d. cost in each.

*Cooper against Glissan.*—Bere, 5s. an acre—oats, 4s. an acre, oats, 8s. 6d.—an acre—wheat, 5s.—Deanesgrove, in the parish of the Rocks.

*Herbert against M<sup>r</sup> Encraw.*—Wheat, 8s. an acre—oats, 3s. 6d.—bere and flax, 6s.—potatoes, 8s.—Knoekgraffon parish.

February 2, 1775.

*Lockwood* against *Mockler*.—Barley, 5s. an acre—oats, 3s. 6d.—bere, one-fourth acre, 6s. 3d.—Ardmayle parish.

*Lockwood* against *Meagher*.—Bere, 5s. an acre—oats, 3s. 6d.—wheat, 6s.—Ardmayle parish.

January 20, 1778.

*Cooper* against *Cunningham*.—Thurlesbegg, the parish of the Rocks, oats, 3s. 6d. an acre—barley, 5s.—rape, 8s.

1780.

*Riall* against *Freehy*.—Ballingarry parish, wheat, 5s. an acre—potatoes, 2s.—oats, 10d.—subtracted in 1777.

*Tierney* against *Cleary* and others.—Parish of Tennor, potatoes, 6s. an acre—wheat, 7s.—bere, 6s.—oats, 4s.

*Shaw* against *Carroll*.—Ballysheehan parish, two-thirds of the Tythes; two hundred and sixty-five barrels of potatoes, growing on four one-half acres, at 3s. 6d. a barrel, 3l. 1s. 3d.—forty-two barrels of wheat, on seven acres, 2l. 15s.—sixty-four barrels of bere, on four acres, 1l. 10s. 3d.—in all 7l. 6s. 6d. with 1l. cost.

*Hare* against *same*.—Two hundred and sixty-five barrels of potatoes, one third of the tythes thereof, 1l. 9s. 8 1-2d.—forty-two barrels, one third



of the tithes thereof, 4l. 8s. 8d.—sixty-four barrels of bere, one third of the tithes thereof, 42s. 7d. 4q.—Decree, with 1l. cost

*Same against Mary Strang.*—Two thousand three hundred and fifty barrels of potatoes, one half of the tithe of which, 22l. 1s. 5d.—bere one hundred and twenty-eight barrels, one half of the tithe of which, 2l. 6s. 4d.—oats, one hundred and forty-three barrels, one half of the tithe of which, 2l. 3s. 8d.—flax, one half of the tithe of which, 5s.—hay, one hundred and twenty-five tons, one half of the tithe of which, 6l. 5s.—in all 33l. 1s. 4d.—The Archbishop took time to consider.

July 16, 1780.

*Same against Mary Strang.*—Nave for the impugnant prayed to be let into the merits, but his Grace over-ruled him.—Nave then tendered 10l. 4s. 9d. as a compensation, which the promonent refused.—Griffith prayed sentence, which was decreed by his Grace for 33l. 1s. 4d. with 1l. 6s. 8d. costs.

August 12, 1782.

*Massey against Murnane.*—Meadow, five acres 1l. and 1l. 6s. 8d. cost.

October 7, 1782.

*Shaw against Mahony.*—Ordered, that Gilbert

**Meera**, the proctor of Caesar Sutton, be enjoined from collecting or demanding tithes from any of the parishioners of Ballysheehan, which are claimed by said Sutton.

**Hare against Strang.**—Decree that the appeal is deserted in pain, and that a monition shall issue for 33*l.* 1*s.* 4*d.* pursuant to the rule of the 16th July, 1781.

March 10, 1783.

**Lloyd against Hoops.**—60 acres of meadow, producing 240 tons, value 16*l.*—10 acres, 40 tons, 2*l.* 13*s.* 4*d.*—6048 stone of potatoes, at 1*d.* per stone—the Tithe in all 2*l.* 10*s.* 4*d.* and 1*l.* 6*s.* 8*d.* cost.

**Ryan against Madden.**—Decree for 1*s.* 6*d.* for the Tithe of two acres of meadow, and 1*l.* 6*s.* 8*d.* cost.

**Moore against Pat. Moroney.**—One acre potatoes, producing 60 barrels, at 9*s.* 9*d.* per barrel, that is 2*l.* 18*s.* 6*d.* per acre— $\frac{1}{4}$  acres of meadow, at two one-half tons per acre, at 1*l.* a ton.

June 1785.

**Ryan against Greene.**— $\frac{3}{4}$  acres and three-fourths potatoes, at 64 barrels, containing 4256 stone, the tithe 425 stone, at 4*d.* per stone, amount to 5*l.* 6*s.* 3*d.*—Flax 2 acres and 1-half, 160 stone, the Tithe 16 stone, at 4*l.* 3*s.* 4*d.*—oats, 4 acres and 1-

quarter, containing 223 stone, the tithe 42 stone, at 6d. per stone, 1l. 1s. 6d.---meadow, ten acres, 90 tons, the Tithe 3 tons, at 2 guineas per acre, 6l. 16s. 6d. in all 16l. 8s. 3d.

Parish of Ballingarry, June 26, 1784.

*Preston* against *Clifford*.---In 1783, 420 stone of potatoes, Tithe at 3d. per stone, amount to 10s. 6d.---oats 48 stone, Tithe at 9d. per stone, 3s. 4l. 2d. ---barley 196 stone, Tithe at 8d. per stone, 13s.---hay 10s. Tithe whereof one ton, 2l. 3s. 4d. Decree, and 1l. 6s. 8d. cost.

July 26, 1784.

*Walsh* against *Fanning*.---Parish of Kilcooly, in 1788, had two one-half-ton, at 20s. per. the Tithe 5 cwt. value 5s.----potatoes, 100 barrels at 8s. per. the Tithe 1l. 10s.----oats 5 barrels, Tithe half a barrel, value 3s. 6d. in all 1l. 18s. 6d. Decree, and 1l. 6s. 8d. cost.

"It appears, from one of these decrees, that in the year 1780, a demand is brought for two hundred and sixty-five barrels of potatoes, as two-thirds of the tithe of the parish of Ballysheehan. By what learned process the proctor or evidence can prove this precise value, or whether he has measured the crop, I cannot say, but I most strongly suspect the contrary; and then his valuation is a false and arbitrary accuracy, and

his sub-division of the crop is a trick to increase the charge. The minuteness of charge is the multiplication of oppression. Do not imagine that the proprietor of Tithe cannot proceed otherwise than by this species of minute valuation; for I have read you the report of suits brought in a different manner, to which I beg you may advert. This method appears, from the report, an innovation; it is titheing by mouthfuls.

“ It appears, from this decree, that these two hundred and sixty-five barrels of potatoes, were the produce of four acres and an half; the charge appears to be 4*l.* 3*s.* 9*d.* that is near 1*l.* the acre for potatoes; the case goes on, and charges for forty-two barrels of wheat (not measured, I apprehend) 4*l.* 4*s.* 6*d.* value 20*s.* the barrel, and as this appears to arise from seven acres, the charge is 12*s.* the acre; to this is added 20*s.* cost.

“ The case that follows this is, a demand brought for one-third of the Tithe, and proceeds on the same principle of crafty minuteness, false accuracy, and real oppression.

“ In these cases you will recollect, that there should ever be made a difference between the field price and market price; the field price is what the crop is worth at the time, and in the state in which the parson's right accrues; and

the market price is that to which the person has no right. These distinctions do not seem always to have been religiously adhered to by these clerical judges.

"The next case I shall observe on is, a demand brought for two thousand three hundred and fifty barrels of potatoes, one hundred and twenty-eight barrels of bere, and one hundred and forty-eight barrels of oats. On what evidence? Who was the laborious indefatigable man who went through the long process of measuring and weighing this ponderous and bulky produce? This is the case of *Mrs. Strang*, and the result of this charge is, a decree for 38*l.* 14*s.* and 11*s.* 6*d.* cost. There is no necessity for knowledge of fact to support such a demand; the evidence does it by his power of guessing, by his craft, his sagacity; which, it seems, before such a tribunal, is satisfactory. You think this measure by the barrel a criminal ingenuity; but they carry it much farther; they swear to the stone. I have read you a suit brought for six thousand and forty-eight stone of potatoes; but there is a case which sums up all the principles which I have stated and objected to; it is the case of *Ryan against Greene*. In this four acres and a quarter of potatoes are alleged to have con-

ained four thousand two hundred and sixty-six stone, and are tithed at 5*l*. 6*s*. 8*d*. which is above one guinea an acre for potatoes; two acres and a half of flax are alleged to contain one hundred and sixty stone, and are charged above 3*l*. 4*s*.--- above a guinea an acre for flax; four acres and a quarter of oats, alleged to contain four hundred and thirty-two stone, are charged 1*l*. 1*s*. 6*d*. about 5*s*. the acre; ten acres of meadow, alleged to contain thirty ten, are charged at 6*l*. 6*s*. 6*d*. that is above 12*s*. the acre meadow; the decree went for the sum charged, 16*l*. 8*s*. 3*d*. and the cost 1*l*. 6*s*. 8*d*. An observation, which aggravates even this case, will occur, when I tell you this charge was made in a year of famine: the famine of 1783, when an embargo was laid on your exports, and the people nourished by contribution. There is another aggravation even to this; they charge a famine price, and calculate a plenty produce, and avail themselves of both.

“There is another case of scarcity, where a suit is brought for four hundred and thirty stone of potatoes, valued at 3*d*. per stone, a price of scarcity; for forty-eight stone of oats, a price of scarcity; and for ten tons of hay, valued at 2*l*. 3*s*. 4*d*. the ton, a price of scarcity; decreed with 1*l*. 6*s*. 8*d*. costs. Another case of scarcity--- where a demand is made for six hundred and

thirty stone of potatoes, valued at 3d. per stone, a price of scarcity; ninety-six stone of oats, valued at 9d. per stone, a price of scarcity; eleven tone of hay, at 2l. 3s. 9d. the ton—total tithe, 2l. 16s. decreed with 4l. 6s. 8d. costs; and these seem to be the case of poor peasants, who have but six hundred or four hundred stone of potatoes, valued at 3d. a stone, in a hard year, in the famine of 1788, decreed with the aggravation of the highest costs the law would allow.

“But there is a case of a most extraordinary appearance: a case which rises on famine. I do not see that any decree was made upon it; one acre of potatoes is alleged to contain sixty barrels of potatoes, and each barrel is valued at 9s. 9d.: that is 2l. 18s. 6d. tithe for the acre of potatoes.

“With regard to the legality of the conduct of a clergyman, who, in rating his parishioners, takes advantage of a famine, and brings up as it were the rene of divine vengeance, and becomes in his own person the last great scourge of the husbandman: with regard to the legality of the conduct of a clergyman, who not only takes the advantage of famine, but joins a famine price to a plenty produce, and by one and the same act punishes human industry, and aggravates physical misfortune: as to the legality of such conduct, I

shall say nothing + it may be perfectly consistent with his temporal claims, but blasts his spiritual pretensions--for ever.

“After these oppressions, the most grievous kind of oppressions--oppressions by judgment of law, you would hardly listen to the minor grievance, where the decree shall be for 1*l.* and the costs 1*l.* 6*s.* 8*d.*---where the decree shall be for 4*s.* and costs 1*l.* 6*s.* 8*d.* There are several of this kind---but this would seem the mercy of the Court, admonishing the peasantry never to appear again before such a tribunal.

“From these instances I may infer, that the peasantry must look for redress to Parliament, and will not find it in the Spiritual Courts, which, from their distance, from the uncertainty of their session, from their constitution, and from their judgments, must rather give the Tithe-farmer a confidence in extortion, than the husbandman a confidence in the law. From these instances, I think I have proved, that there has existed such a thing as excess of demand : excess of demand without remedy ; and this excess would be better understood, if you compare the ratages of the South with those of other parts of the kingdom.”

Here Mr. Grattan observed, that two material differences existed : first, that potatoes were tithed



no where but in the South; secondly, that the other articles of tillage were tithed no where so high as in the South; that there were some few parishes 'tis true, in the North, and some parts of counties that bordered on Munster, where potatoes were tithed; but that the instances were few, and the exception proved the rule.

That the other articles of tillage were not tithed so high in other places, after making every allowance for difference of soil.

Here Mr. Grattan stated the ratages which were usual in the other provinces, and which were much less than those exacted in the South, which he said, appeared to be the region of poverty, exaction, and tumult, and that the tumult seemed commensurate with the exaction, which, he said, fell particularly heavy on those who were the least able to pay. He shewed, that in the other provinces, that not only the tithes on tillage was less, but that there were certain moduses in some of their counties for articles which, in the South, were heavily tithed.---Thus, in the North, there was a modus for flax, six-pence, be the quantity ever so great. That, in part of Connaught there was a modus for hay, six-pence per farm, be the quantity ever so great. That considering the exemption of potatoes, these moduses, and the ratages on tillage in the other

parts of the Kingdom, two observations must arise; first, either that the clergy were greatly exalted in the three parts of Ireland, or that the people were greatly oppressed in the South; 2dly, that you must raise the ratages of the clergy in Ulster, Connaught, and Leinster, or you must now check them in Munster. "Are you prepared," said Mr. Grattan, "for the former of these events? Are you prepared in Connaught and Ulster to pay 12s. or 14s. for potatoes, and 15s. the acre for flax? Are you prepared in Ulster for the Compensation-bill, and the Magistrate's bill, which must accompany and enforce such efforts to introduce among you those exactions which oppress Munster? It is true, the North is teased in some counties, by small dues, which it is a part of my scheme to put an end to, and make a compensation to the clergy?"

The ratages of the South will be still better understood, by comparing them with her own ratages at a former period—that from every information he could collect, they had greatly increased. This would be a very proper subject for the committee.

That he had affidavits to produce, stating the increase, which was rapid and exorbitant, bearing no proportion whatsoever to the general increase in the value of things. That these affida-

vits seemed warranted by current testimony or public opinion, and particularly by extracts from the decrees of the Vicar's Court, where it appeared, not from one decree, but a course of decrees, that the acreable ratages of late had greatly increased.

Here he read some of the decrees before referred to.—That it had been said, that in the diocese of Cork and Ross, the ratages had not increased these last thirty years. That he was willing to rest the case on that principle, and if the ratages in the South had not, within those last thirty years, greatly increased, he was willing to give up the question; and he desired a committee to investigate and determine that important point. That this encroachment, on which he insisted, was the more inexcusable, when we considered the great increase of tillage in the South, which of itself would have increased the incomes of the clergy, even though they had diminished their ratages; the causes of the increase of tillage make the increase of ratage improper as well as unnecessary; because they are in some degree artificial; the bounty on corn is an artificial cause. That bounty should not be tithed. The effect of that bounty has not been prevented; but the full operation of it has been checked by excessive tithe, and has been interrupted by tumult, the

companion of these excessive demands; so that the excess of tithe, reacts on the premium, and makes it doubtful whether the plough shall advance under the bounty, or go back under the tithe.

“Another artificial cause of the growth of your tillage in the South, is your want of manufacture: a poor and rapid population, that cannot be employed in manufacture, must be employed in husbandry; but then it is miserable and experimental husbandry; what Mr. Young calls an execrable tillage on bog or mountain, which, by the laws of England, would be for seven years exempt from Tithes, and which by the laws of Ireland ought to be so. You have two Acts, one exempting newly-reclaimed ground from Tithe of flax or hemp for seven years; and another exempting reclaimed bog, provided ten acres shall be reclaimed, from Tithe, generally for seven years; but why not, as in England, exempt all newly-reclaimed ground from all manner of Tithe for seven years?”

Here Mr. Grattan mentioned, that he learned, in some of the Western parts of the county of Cork, they rated the mountaineers higher than in many parts of the richest low land; charging them by the spade length, a sum, which, when applied to the acre, was equal to 20 or or 30s. the

plantation, acre.—These parts, and their inhabitants, he understood, were entirely assigned to the dominion of the Tithe-priest, not Tithe-farmer, and were equally savage, oppressed, and turbulent.

“This encroachment, (said Mr. Grotton) this disproportion, and this excess, which I have already particularized, are the more to be lamented, because the law does not administer the remedy. The Ecclesiastical Courts I have proved to afford no redress whatever; I have shown that their judgments are not founded in moderation, and are not always founded in law.”

“The right of setting out the Tithe has not always proved, in the case of the poor, a security against illegal demands, and does not affect to be a security against unconscionable demands.”

“By the law, the tenant must give forty-eight hours’ notice, and bind himself to a day, whether fair or foul. In the case of potatoes, he must, if the parson does not choose to attend, leave the ridge in the field, which may prevent his sowing winter corn, and be the difference between the profit on wheat and on oats. The tenant cannot dig his potatoes till October, he seldom does till November; and he must use them in August, because the stock of last year is exhausted. Now, the digging a bowl of potatoes, is, by construction

in the Ecclesiastical Courts, the subtraction, not of the particular Tithe, but of the Tithes of the year; for simplicity of suit they construe subtraction of one proclial Tithe to be subtraction of the whole; and for extent of power, that in for the sake of bringing the whole under their jurisdiction, they construe potatoes to be proclial Tithe. Thus, the necessity of the year brings the peasant under the lash of ecclesiastical authority, that great scourge of the farmer.

"In the last year, the peasantry very generally set out their Tithe, and the clergy, in several instances, refused to draw; they did so in several instances where there was no illegal combination, unless a combination among themselves, to deprive the peasant of a right to set out his Tithe, and get an *ex post facto* law to collect their Tithe in a new, summary, and oppressive mode. Sir, it will be proved, that the countryman has waited day after day until the parson should draw his Tithe. It will be proved, that he has left his crop in the field until it has become green. It will be proved, that he has offered to the parson or proctor to hire them horses to draw their Tithe; it will be proved, that he has offered to draw it home at his own expense."

Here Mr. Grattan read a notice from a landholder to a clergyman, informing him, that he

should draw on such a day; and offering to lend the parson horses and cars, to draw his Tithes wherever he should appoint; and he observed that the parson had refused. He also observed, that an offer had been made to a clergyman, by a gentleman, to draw, keep and preserve the Tithes in the gentleman's haggard, if the clergyman did not choose to keep it in his own; which offer, Mr. Gratton stated to have been refused; the clergyman choosing to recover by a compensation, or an *ex post facto* law, which went to deprive the countryman of his common right, without any proof of his guilt.

That if such a bill was permitted, it would take from the countryman, in some of the cases mentioned above, not the tenth, but the fifth; for the tenant had lost by weather the Tithes severed and set out, and was likely to pay another Tithes by Act of Parliament. That this would be, not compensation, but robbery; and the worst species of robbery, robbery by authority of Parliament; it would be, to take the most decided and unconstitutional part, in a case where this House affected to take no part at all; and where it declined every kind of information whatsoever, to enable it to take any part with dignity, justice, or effect; and that, by such a step, we should put the Irish farmer, with respect to his Tithes, on

ground very different from that of the English farmer; and much more disadvantageous.

“That the law in England does not require forty-eight hours. That were the Tithe left too long on the ground, the law of England gave the owner of the land an action on the case against the parson for his negligence. “You give the parson, said he, a compensation for his negligence? If Tithes set out remain too long on the ground, the law of England gives the owner of the land a right to take those tithes as damage feisant; if sued for them, he is to set forth how long they remained on the premises, and the jury (whom your bill excludes and thus indirectly stigmatizes) is to decide. By the law of England, the care of the Tithe, after severance, rests with the parson. In England, where the tithe of corn was set out, and the parson would not take it, but prayed a remedy in the Ecclesiastical Court, a prohibition against the parson was granted.

“See how much more care the law of England takes of the husbandman; how much more attention it affords him than the law or the Parliament of Ireland; and it is one of the charges and allegations of the husbandman of the South:

“That in certain parishes, the parishioners have duly, and legally, set out their Tithes, have given due notice, and have taken all the legal



steps; but that no person has attended on the part of the clergymen, under the expectation, they conceive, of getting some new method of recovery, hitherto unknown to the law, and tending to deprive, by a past operation, the parish of the benefit of its ancient right and privilege of setting out the Tithe."

"This oppression connects itself with another part of this subject, a very obnoxious, a very oppressive, and a very notorious part of it, the Tithe-farmer. The farming of any revenue is a pernicious idea. It is the practice of absolute kings, who, anxious about their riches, and careless about their people, get a fixed income from some desperate adventurer, and then let loose on the community this animal of prey, at once destitute of remorse, and armed with authority.

"In free countries such a practice is not permitted. You would not allow it to the king, and you ought not to allow it to the church—It is an evil in politics, but a scandal in religion; and the more dangerous in the latter, because Tithe being indefinite, the latitude of extortion is indefinite. The use of the Tithe-farmer, is to get from the parishioner, what the parson would be ashamed to demand, and to enable the clergyman to absent himself from his duty—the powers of the Tithe-farmer are summary laws and Eccle-

statistical (Oberts)—his livelihood is extortion—his rank in society is generally the lowest, and his occupation is to pounce on the poor, in the name of the Lord. He is a species of wolf, left by the shepherd to take care of the flock in his absence—he fleeces both, and begins with the parson.”

Here Mr. Gratian stated that the Tithe-farmer seldom got less than one-fourth of the money collected; but sometimes one-third. That there were instances where he got even more, and had reduced the parson to the state of a poor pensioner, on his own living.—That he had heard, that in one of the disturbed parishes, the parish had wished to come to a good understanding with the clergyman, and to pay him in person, but that the Tithe-farmer had obstructed such an accommodation, and had, by his mercenary intervention, prevented concord, moderation, and composition;—parishes were not only subject to one Tithe-farmer, but, in some cases, were cursed with a legion of them; A non-resident clergyman shall employ a Tithe-farmer, who shall set the Tithe over again to two blacksmiths, who go among the flock like two vultures. A Tithe-farmer shall, on being questioned, give the following account of himself: That he held the Tithe from one, who had them from an officer, who held them from a

clergyman who did not reside in a parish where there were resident no dean, no rector, no vicar, no school-master; where the whole business of Christianity, on the Protestant side, was transacted by a curate at 50*l.* a year; and as the parish has been disturbed by the Tithe-farmer or proctor, so has it in some cases been quieted in getting rid of him. I have known a case, where the parish made with their clergyman the following agreement;—"Sir, we pay your proctor 800*l.* a year, and he gives you 600*l.*—We will give you 500*l.* and become your collectors and your security." In another living, the parish paid the proctor 450*l.* a year, and the proctor paid the parson 300*l.* The parishioners became the collector and the security, paid the clergyman 300*l.* a year, took for their trouble 80*l.* and eased the parish of 120*l.*; the consequence was peace; and the more you investigate this subject, the more you will find that the disturbance of the people, and the exactions of the church, have been commensurate—and that the peace of the former has attended the moderation of the latter; nor is it only the excess of exaction which makes the Tithe-farmer a public misfortune—his mode of collection is another scourge: He puts his charges into one or more notes, payable at a certain time; if not then discharged, he serves

the countryman with a summons, charging him 6d. for the service, and 1s. for the summons; he then sometimes puts the whole into a Kerry-bond or instrument, which bears interest—he then either keeps the bond over his head, or issues out execution, and gets the countryman's body and goods completely into his power: to such an abuse is this abominable practice carried, that in some of the southern parts of Ireland, the peasantry are made tributary to the Tithe-farmer; draw home his corn, his hay, and his turf—for nothing; give him their labour, their cars, and their horses, at certain times of the year—for nothing. These oppressions not only exist, but have acquired a formed and distinct appellation—tributes; tributes to extortioners; tributes paid by the poor, in the name of the Lord. To oppression we are to add intoxication, the drunkenness and idleness which not seldom attend the method in which the Tithe-farmer settles his accounts with the poor parishioners devoted to his care; the place in which he generally settles these accounts, makes his bargains, and transacts his business—is the ale-house: He sometimes, I am told, keeps one himself, or he has a relation who gets a licence to sell ale and spirits—because his friend is employed by the church, and will bring him custom.

“ Do you, gentlemen, sign your leases in the ale-house? What should you think of a steward who made your tenants drunk, when he should collect your rents ! and what should a clergyman think of his tithe-farmer, who made his flock drunk, when he collected or settled his Tithes, and bathed in whiskey this precious offering, this primæval property, held by some to be the very essence of religion, and not only most ancient, but divine ?

“ To this loss of industry, you are to add the loss of revenue—(where, as in some cases, I am told) the revenue-officer is the tithe-farmer, and in that most suspicious and deadly combination of fraudulent capacities, overcharges in Tithe, and undercharges in Tax ; that is, compensates to the countryman, by robbing the King, and adds to the crime of exaction the offence of spoliation, and profits by both. I appeal to the Commissioners of the Revenue, whether they have not good reason to suspect such practices ? and I appeal to some of a right reverend bench, whether this is the only commutation which, in their opinion, is practicable or proper ? Under this head, it is alleged, that in certain parishes in the South, Tithe-farmers have oppressed, and do oppress, his Majesty’s subjects, by various ways of extortion, by assuming to themselves, arbitrarily and cruelly,

powers which the law does not give, and by making an oppressive use of those powers which the law has put into their hands. And this the parishioners are ready to verify on oath.

“To these evils are we to add another, which is the principal source of them all—the uncertainty of Tithe—the full tenth ever must be oppressive.

“A tenth of your land, your labour, and your capital, to those who contribute in no shape whatever to the produce, must be oppression; they only think otherwise, who suppose, that every thing is little which is given to the parson—that no burden can be heavy, if it is the weight of the parson; that landlords should give up their rent, and tenants the profits of their labour, and all too little; but uncertainty aggravates that oppression; the full tenths ever must be uncertain as well as oppressive, for it is the fixed proportion of a fluctuating quantity, and unless the high priest can give law to the winds, and ascertain the harvest, the Tithe, like that harvest, must be uncertain; but this uncertainty is aggravated, by the pernicious motives on which Tithe frequently rises and falls. It frequently rises on the poor—it falls in compliment to the rich. It proceeds on principles the reverse of the gospel; it crouches to the strong, and it

encroaches on the feeble; and is guided by the two worst principles in society, servility and avarice united, against the cause of charity, and under the cloak of religion.

“Here let me return to, and repeat the allegations, and call on you once more to make the inquiry. It is alleged, that in certain parishes of the South, Tithe has been demanded, and paid, for what, by law, was not liable to Tithe; and that the Ecclesiastical Courts have countenanced the illegal exaction; and evidence is offered at your bar to prove the charge on oath.

“Will you deny the fact? Will you justify the fact? Will you inquire into it?

“It is alleged, that Tithe-proctors, in certain parishes of the South, do exact fees for agency, oppressive and illegal; and evidence to prove the charge is offered on oath. Will you deny the fact? Will you justify the fact? Will you inquire into it?

“It is alleged, that in certain parishes of the South, Tithes have been excessive, and have observed no equity for the poor, the husbandman, or the manufacturer; and evidence is offered to prove this charge on oath!

“Will you deny the fact? Will you justify the fact? Will you inquire into it?

**“ It is alleged, that in certain parishes of the South, ratages for Tithes have greatly and unconscionably increased; and evidence is offered to prove this charge on oath. Will you deny the fact? Will you justify the fact? Will you inquire into it? ”**

**“ It is alleged, that in certain parishes of the South, the parishioners have duly and legally set out their Tithe, and given due notice; but that no persons have attended on the part of proctor or parson, under expectation, it is apprehended, of getting some new method of recovery, tending to deprive the parish of the benefit of its ancient right, that of setting out their Tithe; and evidence is offered to prove this charge on oath. ”**

**“ It is alleged, that in certain parishes of the South, Tithe-farmers have oppressed, and do oppress, his Majesty’s subjects, by various extortions, abuses of law, or breaches of the same; and evidence is offered to prove this charge on oath. Here, once more, I ask you, will you deny the fact? Will you justify the fact? Will you inquire into it? ”**

**“ This being the state of the Church, in certain parishes in the South, I wish to know, what in the mean time within those districts becomes of religion? Here are the parson and parish at variance, about that which our religion teaches**



us do despise—Riches.—Here is the Mammon of Unrighteousness set up to interrupt our devotion to the true God. The disinterested, the humble, the apostolical character, during this unseemly contest, what becomes of it? Here are two powers—the power in the tenant to set out his Tithe, the power in the church to try the matter in dispute by ecclesiastical jurisdiction—two powers vested by the law in the respective hands of church and laity, without any effect but to torment one another—the power of setting of Tithe does not affect to defend the tenant against unconscionable demand; and if attended with combination, secures him against any effectual demand whatsoever. The power of trying the matter in dispute, by ecclesiastical jurisdiction, does not take place, except in case of subtraction, and when it does take place, is a partial trial. Thus, as the law now stands, combination is the defence of laity, and partiality of the church.

“The equity in favour of the tiller of the soil (a very necessary equity indeed) becomes a new source of disturbance, because the parties are not agreed what that equity should be—the countryman, not conceiving that any one can in equity have a right to the tenth of his land, labour, and capital, who does not own the land, nor plow, nor sow, nor reap, nor contribute in any degree

whatsoever, to the produce. The Tithe-farmer having no idea, but that of iniquity on the subject. The parson, perhaps, conceiving that a tenth on tillage is a bare compensation in equity, for what he deems the greatest of all iniquity, your vote of Agistment.—Thus, the two parties, the parson and his parish, the shepherd and his flock, with opposite opinions and mutual powers of annoyance, in the parts I have alluded to, seem to go on in a rooted animosity and silent war.

“Conceive the pastor looking over the hedge like a spy, to mulct the extraordinary labours of the husbandman.

“Conceive him coming into the field, and saying, “You are a deserving husbandman—you have increased the value of your field by the sweat of your brow; Sir, I’ll make you pay me for that;”—or conceive a dialogue between a shepherd and one of his flock; “I will take your tenth sheaf; and if you choose to vex me, your tenth hen, and your tenth egg, and your tenth goose,” (not so the apostles)—or conceive him speaking to his flock by parable, and saying, “The ass stopped with his burden; and his burden was doubled, and still he stopped, and his burden was still increased—and then the perverse animal finding his resistance in vain, went on: so even you shall find resistance, but increase your load,

until the number of acts of Parliament shall reach your back."

"These pastoral discourses, if they have taken place, however well intended, will not, I fear, greatly advance the cause of the faithful, particularly in a country where the numbers remain to be converted to the protestant religion, not only by the superior purity of its doctrine, but by the mild disinterested peace-making spirit of its teachers.

"Will not the dignitaries of the church interpose on such an occasion? How painful must it have been to them, the teachers of the gospel, and therefore enemies to the shedding of blood, to have thought themselves under the repeated necessity of applying to Parliament for sanguinary laws;—the most sanguinary laws on your statute books are Tithe-bills—the Whiteboy-act is a Tithe-bill—the Riot-act a Tithe-bill.

"How painful to those dignitaries must it be to feel themselves in the office of making perpetual complaints against their own flock, and to be conscious, in some instances, of having jaded and disgusted the ears of the court, by charges against the peasantry? How painful to them to have repeated recourse to the military in their own case, and to think that many of their sinful flock, but their flock notwithstanding, were saved

from the indiscriminating edge of the sword by ecclesiastical zeal, tempered and withheld, and in some cases disappointed by the judicious mercy of military command?

“We, the laity, were right in taking the strongest measures the last session; it was our duty to assert; but of these churchmen, it is the duty, and I suppose the nature, to deprecate, to incline to the mild, the meek, the dispassionate, and the merciful side of the question, and rather to prevent by moderation than punish by death.

“Whether these exactions were in themselves sufficient to have produced all the confusion of the last year, I know not, but this I do believe, that no other cause had been sufficient without the aid of exaction; if exaction had not existed, the South would not, I believe, have been convulsed. A controverted election alone could not well have been an adequate cause; the objects of attack must, in some cases, have been something more than partizans, and the flame spread by contagion—the first torch must have been an accident—but the people were rendered combustible by oppression.

“The White boy should be hanged; but I think the Tithe-farmer should be restrained; I would inflict death on the felon, and impose mode-

tion on the extortioner; and thus relieve the community from the offences of both.

“But do not let us so far mistake the case, as to suppose it a question between the Parson and the White-boy; or that the animosity which has been excited is confined to felons; no, it is extended far more generally; it is extended to those who have been active in bringing those felons to justice; and men will appear at your bar who have suffered under excess of demand, and have acted, to restore peace, the instrument of quiet, and the objects of exaction; let us therefore examine the subject, and having already with great propriety taken the most decisive steps against the insurgent, let us enquire now into the cause of the outrage, and see whether exaction might not have had some share, at least, in the origin of it; and if so, let us strive to form some plan which may collect the riches of the church, without repetition of penal laws or of public disturbance.

“In forming a plan for the better provision of the church, the first thing to be considered is the quantum of provision; the second consideration is the fund from whence that provision is to arise;—the quantum of provision should be the usual net income on an average of years, except in some parishes of great exaction; I say usual, because I would not materially alter their allow-

ance; they are an average of years, because I would not make recent incroachment property; I say not, because when the public shall become the Tithe proprietor's agent, the public will have a right to the benefit of the agency.

“That their income is discoverable, I affirm, and I affirm it under the authority of their own act, and their own practice; without going farther back than the last session, you will find the Compensation-act requires the person suing on the act to make a discovery of his customary income, and in some cases discovery of his ratages for three years back on oath—it requires that he should, in his affidavit, set forth that the valuation of 1786 is made, as near as possible, the ratage of the three former years; it requires that where a valuation of the Tithe of 1786 could not be made, a valuation of the customary Tithe for three years back should; it enables the Court to appoint persons to enquire into the fact, and call for parties and papers, and thus establishes two principles, which were denied;—that the annual income of benefices is discoverable, and that the particular ratage is discoverable also;—I might go back to the act of Henry VIII. which requires that a commission should be directed to enquire into ecclesiastical benefices, and report the value of the same; and I might further

adduce the act of William III. which gives to the ecclesiastical person who builds, two-thirds of the sum expended, which sum is to be ascertained by a certificate; which certificate, by the 12th of George II. shall contain an account of the clear yearly income of the benefice. After these instances, I hope no man will deny that the income of the clergyman is discoverable; particularly, when the Compensation-act of the last winter requires such a discovery to be made on the oath of the parson. That act was supported by the whole bench of Bishops; it was probably framed with their advice and suggestions. They would not require their clergy to report on their oath what they themselves conceived, or had maintained to be impossible; as if it was impossible to make a discovery for the purpose of commutation—but for the purpose of compensation, easy, and obvious. Thus, when I affirm the discoverability of the clergyman's income, I have not only the authority of the Church, but its oath. The net return should be the parson's perpetual income, subject to the exception stated above; but in order to guard him against the fluctuation of currency, I would fix the value of that income in grain; it should be the value of so many barrels of wheat, to be estimated every seven years by the corn-office, or

the clerk of the market, who now quarterly strikes the average value of corn throughout the kingdom: Thus, his income should not be absolutely either corn or money; but the value of so much corn to be paid in money.

“As to the fund from whence these receipts should arise, that fund should be a charge on the barony, to be levied like other county charges;—this method is easy, for it is already in use—the head constable should be the parson’s collector, and the county should be his security.

“To this I knew the objection, and it is an objection which can be best answered by those who make it. It will be said that this scheme prevents the division of unions, and the increase of poor livings. Apply the first fruits as they ought for the increase of poor livings, and the repairs of the church, and then you will answer your own argument; but a fictitious and remote valuation for the benefit of the rich clergy has been made of these charitable funds, frustrating the purpose of the charity equally to the neglect of the church and the poor. The luxury of the Priest has usurped the funds of the poor and of the Church, then sets up against both a miserable modus, and prescribes in this instance against charity and religion.



"However, if the dignitaries of the church will not, Parliament may answer this argument, and provide for more clergy on occasion, shall permit. You impair by act of Parliament, with proper provision, when you see the necessity, you may divide. The care of religion is placed no where better than in the Legislature. Popery will tell you, that when it was entirely left to the care of the priesthood, it was perverted, and destroyed.

"But if difficulties should be made, to this plan—and in order to give the church the growth of the country—there is another plan, as follows; let every article which shall be subject to Tithe be set forth in a Tithing table, with certain ratages annexed—let those ratages be taken, and set forth in the Tithing table as now equivalent to so many stone of bread corn.

"Let the act provide, that there shall be a septennial valuation of bread corn, by the clerk of the market, or the proper officer.

"Let there be an exemption for the rudiments of manufacture, and a saving for all local custom and exemptions—such as potatoes in most places, hay in several, and such like.

"In order to form this modus, which should be provincial, not universal, let four provincial committees be appointed. You will see a prece-

dent in your journals; on the report of these provincial committees, form your bill. In your bill you will probably think proper to give agistment; or a certain sum for Head-money, not in addition to, but in case of ratages or tillage.

"In forming your ratages, you will probably enquire into the acreable ratages now established; and adopt them where they are reasonable, and reject them where they are exorbitant—where there are no acreable ratages established, the contiguous parish or county, where they are established, will furnish you with a rule.

"If once you appoint committees, the parson and parish will both come forth with information—and from both you will collect the present ratages, and be enabled to make a rule. In forming this rule, you will probably think proper to exempt the poor man's garden in the South from the tithe of potatoes.

"The true principle, with respect to your peasantry, is exoneration—and if I could not take the burden entirely off their back, I would make that burden as light as possible—I would exempt the peasant's cow and garden from Tithe; if I could not make him rich, I would do the next thing in my power—I would consider his poverty as sacred, and vindicate against an extortioner

the hallowed circle of his little boundary. The loss to the Church might be easily compensated, particularly if you give a gift of land or money in case of tillage.

“ I would also relieve the North from small dues, as I would relieve the poor of the South from the Tithe of potatoes ; and where these small dues had long obtained, I would make the parson compensation, either by giving him land-money, or by making an estimate of these dues, and raising them in the way of other county charges.

“ Should it be said, that we should exempt the peasant from rent as well as from Tithe ; to that uncharitable and unchristian observation, I answer no. The land is not his own, but his labour is his own. The peasant is born without an estate—he is born with hands, and no man has a natural right to the labour of those hands, unless he pays him. Thus, when you demand of the peasants rent—you ask for your own estate ;—when you demand Tithe, you ask for a portion of the peasant's estate, the poor man's only estate, the inheritance which he has in the labour of his hand, and the sweat of his brow.

“ Human laws may make alterations, and when made, must be observed ; but it should be the

policy of human laws to follow the wisdom of the law of nature.

"The result of these principles, and of these committees, proceeding on the rules I have submitted, would be the benefit of the Church, as well as the relief of the farmer; for establishing a modus on the average ratages of a certain number of years, except in cases of exaction, you would give the Church as much as they have at present, except in those instances of unconscionable demand—and as the ratages would come net to the owner of the Tithe, you would, in fact, on this principle, give the church more; the spoil of the Tithe-farmer would, therefore, enable you even to lower the ratage, and yet give more to the Church; so that the result would probably be, that the moderate clergyman would get more, and the uncharitable clergyman would get less—which would be a distribution of justice, as well as of property."

"Having once agreed on the modus, I would wish to give the clergy, or lay impropriator, for the recovery of their income, any mode they chose to appoint, civil bill, or any other method, and then you will save them the charge and disgrace of an expensive agency, which expense arises from the difficulty of the recovery, and the uncertainty of the demand; and if you add

the facility and cheapness of collection, with the certainty of income, to the quantum, under the modus, on the principles I have stated, you will find the value of the Church property would, even in the opinion of a Notary Public, be increased, though the imaginary claim would be circumscribed and diminished. This is no commutation, no innovation; here is only regulation of Tithe, and an abolition of Tithe, *ferme*, and of those abuses which have grown out of the uncertainty of Tithe; it takes from Tithe its deadly sting, uncertainty, and makes it cease to be a growing penalty on extraordinary labour; and it puts the question directly to the moderation of the Church. Will you insist on indefinite demand, and unconscionable ratage, as an essential part of the Christian religion, or the Protestant establishment? The Bible is the answer to this question, even though the clergyman should be silent—and it is, therefore, I press this method the more, because it does not involve the subject in speculation, nor rest the redress of the peasantry on the ingenuity of system, but makes that relief a matter of moderation, and of Christian charity;—were you disposed to go farther, you might form, on this regulation, a commutation, which should more effectually relieve the plow, and should, at the same time, give the benefit

of the growth of the country to the Church :—  
 Let a person in each parish be appointed in vestry  
 by the parson and the parishioners, and if they  
 do not agree, let each appoint their own, who  
 shall every year make a return of acres under  
 tillage to appotters, who shall make a valua-  
 tion of the same, according to a Tithing table,  
 such as I have stated, to be established by act  
 of Parliament, and that valuation to be raised in  
 the manner of other baronial charges. Thus the  
 parson's income would increase with the extent  
 of tillage, without falling principally on the  
 plough. The principle of this plan, if you  
 choose to go beyond a modus, is obvious. The  
 mechanical part of this, and of the other regu-  
 lation which I have submitted, will be best de-  
 tailed in the provincial committees, if you shall  
 choose to appoint them; for, in fact, your plan  
 must arise out of the inquiry, and the resolu-  
 tions of these committees; and the great dif-  
 ficulty on the subject, is your aversion to the in-  
 quiry. There are other difficulties, I allow; the  
 difficulties of pride, the difficulties of passion,  
 the difficulties of bigotry, contraction of the head,  
 and hardness of the heart.

If these are made more respectable than, and  
 superior to, any other kind of property. The

High Priest will not take a parliamentary title; that is, in other words, he thinks they have a divine right to Tithe.

“Whence?—None from the Jews;—the priesthood of the Jews had not the tenth; the Levites had the tenth, because they had no other inheritance; but Aaron and his sons had but the tenth of that tenth; that is, the Priesthood of the Jews had but the hundredth part, the rest was for other uses; for the rest of the Levites, and for the poor, the stranger, the widow, the orphan, and the temple.

“But supposing the Jewish priesthood had the tenth, which they certainly had not, (the Christian priesthood does not claim under them. Christ was not a Levite, nor of the tribe of Levi, nor of the Jewish priesthood, but came to protest against that priesthood, their worship, their ordinances, their passover, and their circumcision.

“Will a Christian priesthood say it was meet to put down the Jewish, but meet likewise to seize on the spoil; as if their riches were of divine right, though their religion was not; as if Christian disinterestedness might take the land, and the Tithe given in lieu of land, and possessed of both, and divested of the charity, exclaim against the avarice of the Jews?

“The Apostles, had no Tithe, they did not demand it, they, and He whose mission they preached, protested against the principle on which Tithe is founded—‘Carry neither scrip, nor purse, nor shoes, into whatsoever house ye go, say, Peace.’

“Here is concord, and contempt of riches, not Tithe... ‘Take no thought what ye shall eat, or what ye shall drink, nor for your bodies, what ye shall put on;’ so said Christ to his apostles. Does this look like a right in his priesthood to a tenth of the goods of the community?

“Beware of covetousness—seek not what ye shall eat, but seek the kingdom of God.”

“Give alms—provide yourselves with bags that wax not old, a treasure in heaven which faileth not.” This does not look like a right in the Christian priesthood to the tenth of the goods of the community exempted from the poor’s dividend.

“Distribute unto the Poor, and seek treasure in Heaven.”

“Take care that your hearts be not charged with surfeiting and drunkenness, and the cares of this life.”

“One should not think that our Saviour was laying the foundation of Tithe, but cutting up



the roots of the claim, and prophetically admonishing some of the modern priesthood. If these precepts are of divine right, tithes cannot be so; the precept which orders a contempt of riches, the claim which demands a tenth of the fruits of the earth for the ministers of the Gospel.

“The peasantry, in apostolic times, had been the object of charity, not of exaction. Those to whose cabin the Tithe-farmer has gone for tithe of turf, and to whose garden he has gone for the tithe potatoes, the Apostles would have visited likewise; but they would have visited with contribution, not for exaction; the poor had shared with the Apostles, though they contribute to the Churchman.

“The Gospel is not an argument for, but against the right-divine of Tithe; so are the first fathers of the Church.

“It is the boast of Tertullian, “*Nemo compellitur sed sponte confert hæc quasi deposita sunt pietatis.*”

“With us, men are not under the necessity of redeeming their religion; what we have is not raised by compulsion; each contributes what he pleases; *modicam unusquisque stipendium vel cum velit, et si modo velit, et si modo posset*; what we receive, we bestow on the poor, the old, the orphan, and the infirm.”

“Cyprian, the bishop of Carthage, tells you, the expences of the church are frugal and sparing, but her charity great;—he calls the Clergy his *fratres sportulantes*—a fraternity living by contribution.

“Korſake,” says Origen, “the Priests of Pharaoh, who have earthly possessions, and come to us who have none—we must not consume what belongs to the poor—we must be content with simple fare and poor apparel.”

“Chrysostome, in the close of the fourth century, declares, that there was no practice of Tithes in the former ages—and Erasmus says, that the attempt to demand them was no better than tyranny.

“But there is an authority still higher than the opinions of the Fathers—there is an authority of a Council—the Council of Antioch, in the fourth century, which declares, that Bishops may distribute the goods of the Church, but must take no part to themselves, nor to the Priests that lived with them, unless necessity required them justly—“Have food and raiment; be therewith content.”

“This was the state of the Church, in its purity; in the fifth century, decimation began, and Christianity declined;—then, indeed, the right of Tithe was advanced, and advanced into

a stile that damned it. The preachers who advanced the doctrine, placed all Christian virtue in the payment of Tithe. They said, that the Christian religion, as we say the Protestant religion, depended on it. They said, that those who paid not their Tithes, would be found guilty before God ; and if they did not give the tenth.—that God would reduce the country to a tenth.— Blasphemous preachers !—gross ignorance of the nature of things—impudent familiarity with the ways of God—audacious, assumed knowledge of his judgments, and a false denunciation of his vengeance. And yet even these rapacious, blasphemous men, did not acknowledge to demand Tithe for themselves, but the poor—alms !—the debt of charity—the poor's patrimony. “ We do not limit you to a precise sum ; but you will not give less than the Jews ”—*decimæ sunt tributa egen-tium animarum redde tributa pauperibus*. Augustine goes on, and tells you, that as many poor as die in your neighbourhood for want, you not paying Tithe, of so many murders will you be found guilty at the tribunal of God—*tantorum homicidiorum reus ante tribunal eterni judicis apparebit*. ‘ Let us,’ says St. Jerome, ‘ at least follow the example of the Jews, and part of the whole give to the priest and the poor.’ To these authorities we are to add the decree of two cou-

cils—the Provincial Council of Maastricht, in the close of the sixth century, and the decree of the Council of Nantz, in the close of the ninth.—The first orders, that Tithes may be brought in by the people, that the priest may expend them for the use of the poor, and the redemption of captives.—The latter decrees, that the clergy are to use the Tithes, not as a property, but a trust—*non quasi suis sed commendatis*.

“It was not the table of the priest, nor his domestics, nor his apparel, nor his influence, nor his ambition, but a Christian equipage of tender virtues—the widow, the orphan, and the poor; they did not demand the Tithe as a corporation of Proprietors, like an East-India Company, or a South-Sea Company, with great rights of property annexed, distinct from the community, and from religion; but as trustees, humble trustees to God, and the poor, pointed out, they presumed, by excess of holiness and contempt of riches. Nor did they resort to declamation, even under these plausible pretensions, until forced by depredations committed by themselves on one another. The goods of the church, of whatever kind, were at first in common distributed to the support of the church, and the provision of the poor—but at length, the more powerful part, those who attended the

courts of princes—~~they~~ who intermeddled in state affairs, the busy High priest, and the servile, seditious, clerical politician; and particularly the abbots who had engaged in war, and had that pretence for extortion, usurped the fund, left the business of prayer to the inferior clergy, and the inferior clergy to tithe and the people.

“Thus the claim of Tithe originated in real extortion, and was propagated by affected charity; at first, for the poor and the church, afterwards subject to the fourfold division, the Bishop, the Fabric, the Minister, and the Poor; this in Europe.

“In England Tithe is not founded on divine right, but was said to be introduced by murder: a King of Mercia, in the seventh century, assassinated another Prince in a most barbarous manner, and grants, with what power I know not, the tenth of his subjects' goods, for absolution; but in England, as elsewhere, the fourfold division took place.—So says Blackstone.

“Nay, the preamble of the grant of Stephen recognizes tithe to be alms;

“Since it is divulged, far and near, by the Church, that souls may receive absolution by the grant of alms, “I, Stephen, to save my

own soul, that of my father's, and that of my mother's, and my relations."

"Then he goes on, and grants or confirms Tithes and other things.

"Nay, there are two acts of Parliament express, one the 18th Richard II. providing, that, for the appropriation of benefices, there shall be provision made for the vicar and the poor.\*

"The cause of this act of Parliament were benefices given to persons who did not, or could not preach, lay persons, sometimes nuns, (as we give them to non-residents) to the neglect of the poor's portion.

"These principles were departed from; and the trust most undoubtedly buried in oblivion; but let me add, the christian religion was forgotten likewise.

"Hence the Reformation bringing back Christianity to its old purity; and hence a

\* Because divers damages and hindrances have oftentimes happened by the appropriation of benefices in some places—it is agreed, that in every license it shall be expressly comprised, that the diocesan of the place shall ordain, according to the value of such churches, a convenient sum of money shall be paid and distributed yearly, out of the fruits and profits of some churches, to the poor parishioners of some churches, in aid of their sustenance for ever; likewise that the Vicar be well and sufficiently endowed.—Statute Henry IV. confirms this act.

superior and milder order of Priests, who purged the spiritual and some of the temporal abominations, but did not entirely relinquish the claim to the tithe; though I must own great numbers have too much purity to insist on it—a claim which I have shewn to have been in its creation an encroachment on the laity, and in its application an encroachment on the poor. No divine right, no, nor natural right: the law of Nature and the law of God are the same; the law of Nature doth not give property, but the law of Nature abhors that disproportion of property which is to be found in the claim of 900 or 1000 men to the 10th of the goods of 3,000,000; a claim in the 3000th part of the community to the 10th of its property—surfeit on the part of the few—famine on the part of the many—a distribution of the fruits of the earth; impossible, beastly, shocking in itself, and when accompanied with a claim to extravagant moderation and purity ridiculous and disgusting—a claim against the proportions of Nature and the precepts of the Gospel.

“ I know there are acts of Parliament on this subject. The act of Henry VIII. which requires the setting out of the Tithe; an act of collection, not creation; an act which had the lay impro-

priator in view, and which seems to take for granted a claim of superstition, founded on the pretence of charity....I know there are many subsequent acts (which are called Tithe-bills) intended to assist the collection of customary, not full Tithe, and in that confidence granted by Parliament.

“I am not now enquiring whether the claim to the full Tithe is legal, but whether the application of that Tithe, for the sole purpose of supporting the priest in usurpation. And, I have shewn you, that Tithe was a charity, subject to the support of the poor in the first place, and the priest in the last.—I have shewn you, that Tithe does not stand on the delicate ground of private property....I have shewn you that it was a trust, converted into a property, by abuse; which abuse the Legislature may control, without sacrilege or robbery....If a right to the full tenth is yet insisted on, give them the full tenth, on the principles on which alone they at first ventured to demand it---subject to a poor rate---Let the trust be executed---let widows and orphans share it---let the House of Industry, and the various hospitals and infirmaries, share it—Let the House of God (now a hovel repaired at the expense of Parliament, though, by the canon law, it should be repaired by the priesthood)



share it ; let the poorer order of the peasantry share it. If the clergy will insist on taking the full Tithes of his potatoes, if they take the staff out of his hands, they must carry the peasant on their shoulders.

“ Thus, the Clergy, insisting on the *summum jus*, and the laity on the *summa justitia*, the former would not be richer by the change. I should, on such a change, condole with the Church, and congratulate the poor ; and I should applaud the discretion, as well as the moderation, of those excellent pastors, who did not rake up, from the ashes of superstition, this claim to the tenth, but were satisfied with competence and character, and brotherly love, and a right to live by their ministry—a right, set forth in the Gospel, and which Nature had set forth, even though the Gospel had been silent.

“ Impracticable, impracticable, impracticable,” a zealous divine will say ; “ any alteration is beyond the power and wisdom of Parliament—above the faculties of man to make adequate provision for 900 clergymen, who despise riches :” were it to raise a new tax for their provision, or for that of a body less holy—how easy the task ! how various the means ! but, when the proposal is to diminish a tax already established—an impossibility glares us in the face, of a measure

so contrary to our practices both in Church and State.

“ If you think the property of the church divine, and that when you affect it at all, you touch on holy things, then call the proposal and call the reformation profane, sacrilegious, blasphemous, but never call the proposal impracticable. How are the clergy paid in Holland? by fixed salary—How in Scotland? by fixed salary—never less than 1000 marks, nor more than 3000; are the clergy in Scotland deficient? Has history no obligation to the clergy of that sagacious people;—how are the civil, military, and revenue establishments paid in Ireland? by fixed salary.—You have not found it difficult, but fatally facile to create such salaries. In these last twenty years, you have created not a few, and you have done this for laymen, to whom salary was the principal object; but for the Church, where the provision, the temporal consideration, is but secondary—a moderate means for the support of the great duty of prayer—to suppose the regulation, or even moderation of that provision impracticable, annexes a most transcendent importance to what is gross and temporal, and a comparative insignificance to what is pure and spiritual, and throws a certain complexion of grossness, and inabstinence, on

certain devout and most learned controversialists. —If, indeed, you conceive what is given in commutation should be equal to the tenth of your produce, the impracticability is admitted. While I admire the enormity of the suggestion, I acknowledge the impracticability of the execution of it. I believe the Legislature will never agree to give them the tenth either in commutation or Tithe—both are impracticable—such a claim, and such a commutation, that 900 men should have the tenth of the property of 8,000,000; and you will find we are much more—the custom of the country, the modes of several places, your own vote of Assentment, and above all, the interest of religion and of frugal piety, forbid it—give them the tenth, and you give away your religion; but if you mean a commutation for customary profits, not extravagant claims, I think I have shewn you that commutation is not impracticable; I have shewn you how their present livings can be discovered, and can be commuted: the value is not an impenetrable mystery; there is hardly a parish in which you could avoid to find twelve respectable parishioners who would ascertain their ratings, and their income; nor is there a Clergyman who could not tell you, nor a Tithe-farmer, nor a Tithe proctor, nor a Bishop; for he, in his traffic

with the Minister, about translation, generally gives in a schedule of the value of the livings in his diocese. I think it unnecessary to add, that there are several Acts, and one of the last Session, requiring such a discovery, and the ratages in certain cases to be made on oath.

“ Men are apt to argue as if an error in that discovery might be fatal, as if the essence of religion was in the quantum of solid food, and as if 30% a year more, or 30% less, would be a difference decisive as to the propagation of the Gospel. The inaccuracy that may attend the various ways of information on this subject, cannot be much, and if it shall, in a small degree, lower the great livings, and raise the small, cannot be fatal.

“ I should not wish to give the ministers of the Gospel less than they have at present, except in some cases of hardship and extortion ; but suppose some of them did receive less, would the Church fall ; The importance and the difficulty of accuracy on this question are both over-rated.

“ This objection of impracticability, therefore, against a commutation is but a pretence, and against a modus is not even a pretence ; or is it impracticable to inquire into the present ratages, and on that information to proceed ? If so, if this step is impracticable, the abuses that grow

out of Tithes are incurable ; and then you ought to reject the system of Tithe as an incorrigible evil, and recur to another mode of paying your clergy. If a modus is impossible, a commutation is necessary.

“ We are too apt to conceive public cares impracticable—every thing bold and radical, in the shape of public redress, is termed impracticable.

“ I remember when a Declaration of Right was thought impracticable—when the Independence of the Irish Parliament was thought impracticable—when the establishment of a Free Trade was thought impracticable—when the restoration of the Judicature of our Peers was thought impracticable—when an exclusion of the Legislative Power of the Council was thought impracticable—when a limited Mutiny-bill, with Irish articles of war in the body of it, and the Declaration of Right in its front, was thought impracticable—when the formation of a Tenantry-bill, for securing to the tenantry of Ireland their leasehold interest, was thought impracticable—and yet those things have not only come to pass, but form the base on which we stand. Never was there a country to which the argument of impracticability was less applicable than Ireland.

“ Ireland is a great capacity not yet brought into action—much has been civilized, much has been reclaimed, but something is to be redressed ; —the lower orders of the people claim your attention—the best husbandry is the husbandry of the human creature. What ! can you reclaim the tops of your mountains, and cannot you improve your people ? Every animal, except the tyger, (as I have heard) is capable of being reclaimed—the method is to feed, to feed after a long hunger ;—you have with your own peasantry began the process, and you had better complete the experiment.

“ Inadequate—inadequate,” interposes the advocate for exaction ; “ the rich will intercept the relief intended by Parliament.”

“ This objection supposes the condition of the peasantry to be poor in the last degree—it supposes that condition to arise from various complicated causes ; low price of labour, high price of land, number of absentees, and other causes ; and it refers the poor to the hangman for regulation, and to Providence for relief ; and it justifies this abandonment of one part of the community, by a crimination of the other : on a surmise that the upper orders of men in this country are complete extortioners, and would convert abatement of tithe into increase of rent, and thus intercept the justice of Parliament.—Here I must absolutely

and instantly deny the fact; the landlords are not as described; expensive frequently, I allow; but an hospitable, a humane, and affectionate people—the genius of the Irish nation is affection—the gentlemen are not extortioners by nature, nor (as the Tithe-farmer is) by profession. In some cases they do set their land too high, in many not, and on that head they are daily becoming more reasonable.

“Your Magistracy-bill, your Riot-act, your Compensation-bill, what becomes of the authority of these laws with the lower orders—if you argue them into a conviction, that the landlords of Ireland, that is, the landed interest, who passed these acts in their collective capacity, are, in their individual capacity, but so many extortioners? Look to the fact, to their leases for thirty-one years, or three lives—not like bishops’ leases; look to their lands—not like church lands. See the difference between the lands of laymen, who have an interest in the inheritance, and of churchmen, who have only the *esprit de corps*, that is, a false and barren pride, in the succession; look to the landlord’s conduct—they passed a Tenantry-bill—the bishops rejected a Lease-bill, and have almost uniformly resisted every bill that tended to the improvement of the country,—if, by the remotest possibility, their body could be in the

smallest degree of prejudice in the most insignificant of its least warrantable pretensions; but if still you doubt, call forth the tenantry, and put the question to them—do not take your opinion from the oppressor; ask the oppressed, and they will tell you, what we know already, that the great oppression is Tithe; the middle-man's over-reaching, as in many instances, I acknowledge (compared to the Tithe-farmer's) is mercy. Suppose him as destitute of compunction, he is not armed with the same powers of torture, though he had the same genius for oppression—he has not his own tribunals, nor can he put the countryman to expense of attending on Vicar's Courts, nor of watching his crop, nor of delaying his harvest home, nor of notices, nor summonses, nor of drinking at his ale-house, while the value of the Tithe is computed, nor of all that train of circumstances and charge with which the uncertain dues of the Church are now collected, at the expense of the morals of the people.

“But if the charge was founded in fact, it is not an argument, and has nothing to say to the question, where similar exertions of oppression, if morally probable, are rendered legally impossible. The landlord cannot, in consequence of exemption from Tithe, raise his rent on his lessees,



during the continuance of the term. Now, do you imagine that it is the cottager only, and not the lessee also, that complain of Tithe—they are both aggrieved—the tenantry of Ireland are aggrieved—the lessee, therefore, must be relieved by the plan, and the cottager cannot be equally oppressed, because he agrees for his rent before he sows his crop—but pays his Tithe afterwards; the latter of course must be, and the former cannot be, a charge for his extraordinary labour. Rent is a charge on land, Tithe on labour—the one definite, the other indefinite; they are not convertible; increase your rent under any pretence, still it must avoid the essential evil of Tithe—the evil of being arbitrary; a tax rising with industry. Suppose the severest case, one pound an acre advanced rent for potatoe ground, the cottager, by extraordinary labour, works himself comparatively out of his rent, and into a greater Tithe; thus extortion by rent, is but a cruel compulsion on extraordinary labour—but Tithe a penalty.

“There are certain arguments, which leading to something absurd and nonsensical, are stricken out of the tribe of logic; those arguments should meet the same fate which lead to something that is worse than either nonsense or absurdity—to cruelty and to oppression.—Of this tribe is the

reasoning I now combat, an argument which would leave the landlords without character, to leave the common people without redress.—I condemn the premise, but I abhor the conclusion.—What! should the clergy oppress the poor, because the landlords (as is alleged) do so already?—because the latter (as is alleged) over-value land, shall the church overcharge labour?—because the peasant pays (as is alleged) sometimes five or six pounds per acre for his land, shall he pay twelve or twenty shillings to the parson for his potatoes? The premises of this argument impeach the character of the higher order, and the conclusion would steel one order against the other, and the result of such reasoning would leave you (what it affects to find you) wicked and miserable; and common sense and Christian charity lift up their hands against such an opprobrious premise, and such a pernicious conclusion.

“If such were the state of our country, the church should interpose and give a good example, and not follow a bad one; they should say, we will take the lead; we will ourselves moderate the exactions which oppress the poor;—if the rich take the advantage, and frustrate our pious intention, we are not in fault—the character of religion is free, her ministers do not participate

the plunder of the people. The vote of adjustment left the measure I propose practicable, and made it necessary; by that vote you sent the parson from the demesne of the gentleman into the garden of the cottager—by that vote you said you shall not tax us;—it remains for you to say, you shall not Tithe the poor unconscionably; but going as far as that vote and no farther, you declare to the proprietors of Tithe—“Tithe the poor as you please, provided we do not pay you;” and this is what some mean by their zeal in the support of the church;—this is the more exceptionable, when you recollect, that of the poor who pay your clergy, there are numbers of a different religion, who of course receive no consideration from your clergy, and must pay another clergy. The Protestant interest may require that these should contribute to the Protestant establishment; but, the proportion and the manner in which you now make them contribute, redounds but little to Protestant Honour, either in Church or State.

“Aye! but will you encourage tumult? Will you reward the White-boy? Will you give a premium to disturbance?—Sir, do not advert so lightly to the state of this country, nor pass so superciliously over general distress, as to think that the Right-boy or White boy, (or by whatever other

vagrant denomination tumult delights to describe itself) are the only persons who suffer by the present state of Tithes; there are two other descriptions who are oppressed by them—those who did nothing in the late disturbance, and those who took part to quell them. Can you suppose so many would have been neutral in the suppression, if they had not been a party to the oppression? and have you complained of the languor of your magistracy, and the supineness of the Protestant country gentleman, without adverting to the reason? The tumult was confined, but the suffering was extensive. But there is another body of men who suffer—they who took part to suppress have they any pretensions? Do you deny that they are sufferers?—they will come to the bar and prove it—they will prove two things very material, very worthy your attention—their merit and their suffering.

“Yes, but will you innovate? Admit this argument, and we sit here to consecrate abuses. The statutes of Mortmain were innovations—the suppression of Monasteries innovation—the Reformation innovation—for, what is the Protestant religion, but the interposition of Parliament, rescuing Christianity from abuses, introduced by its own priesthood?

"Institutions, divine and human, corrupt by their nature or by ours;—the best human institution, the British constitution, did so corrupt; that, at different periods, it was anarchy, oligarchy, despotism—and was restored by Parliament.

"The only divine institution we know of, the Christian religion, did so corrupt, as to have become an abomination, and was reformed by act of Parliament.

"Life, like establishments, declines—disease is the lot of nature—we oppose its progress by strong remedies, we drink a fresh life at some medicinal fountain, or we find specific in some salubrious herb : Will you call these restoratives innovation on the physical œconomy? Why then, in the political œconomy, those statutes which purge the public weal, and from time to time guard that firm animal man against the evils to which civil society is exposed, the encroachments of the priest and the politician.

"It is then on a false surmise of our nature—this objection; we live by a succession of amendment; such is the history of man, such, above all, is the history of religion, where amendment was even opposed; and those cant expressions, the supporting Church and State, were ever advanced to continue the abuses of both. On

~~These occasions, prejudices, from the ragged bat-~~  
~~tlement of superstition, ever screened innovation.~~  
 When our Elizabeth established the Protestant religion, she was called an innovatress—when Luther began the reformation, he was called an innovator; nay, when Herod and the high priest Caiphas (and high priests of all religions are the same) heard that one had gone forth into the multitude preaching, gathering the poor like the hen under her wing—saying to the rich, give unto the poor, and look for treasures in Heaven, and take heed that your hearts be not overcharged with luxury, surfeit, and the eascs of this life; I say, when Herod and the High Priest saw the author of the Christian religion, thus giving comfort and countenances, and hope to the poor, they were astonished, they felt in his rebuke of their own pomp and pride, and gluttony and beastliness, great innovation—they felt in the sublimity of his moral, great innovation; they saw in the extent of his public care, great innovation; and accordingly they conspired against their Saviour, as an innovator; and under the pretence of supporting what they called the Church and State, they stigmatized the redemption of man, and they crucified the Son of God.

“ If we were desirous to retort on the Church the argument of innovation—its own history is

fertile : what is the idea of property in the Church, but an innovation ? their conversion of property from the great body of the Christians, to their own use ? innovation---their temporal power ? innovation---their application for donations, equal to tenth ? innovation---their conversion of those donations to their own use ? innovation---their excluding the fabric of the Church, as well as the Poor, from the benefit of those donations ? innovations---their various Tithe-bills ? innovation---their Riot-act ? innovation---their Compensation-act ? innovation.

“ To judge of the objection of innovation against my plan, 'see what that plan does not do.

“ It does not affect the doctrine of our religion ---it does not alter the Church establishment---it does not affect the constitution of episcopacy. The modus does not even alter the mode of their provision, it only limits the quantum ; and limits it on principles much less severe than that charity which they preach, or that abstinence which they inculcate. Is this innovation ? Moderation, innovation ! as if the Protestant religion was to be propagated in Ireland, like the influence of a Minister, by bribery ; or like the influence of a county candidate, by money ; or like the cause of a potwalloping canvasser, by the weight of the purse ; as if Christ could not prevail over

the earth, unless Mammon took him by the hand. Am I to understand, that if you give the Parson 12s. in the acre for potatoes, and 10s. for wheat, the Protestant religion is safe on its rock; but if you reduce him to 6s. the acre for potatoes and wheat, then Jupiter shakes the Heavens with his thunder—Neptune rakes up the deep with his trident, and Pluto leaps from his throne?—Arguments and appetites which depart from Christian purity, are best illustrated by Heathen mythology. See the Curate—he rises at six to morning prayers; he leaves company at six for evening prayer; he baptizes, he marries, he churches, he buries, he follows with pious offices his fellow creature from the cradle to the grave—for what immense income!—what riches to reward these inestimable services? Do not depend on the penury of the laity. Let his own order value his deserts; 50*l.* a year; 50*l.* for praying, for christening, for marrying, for churching, for burying, for following with Christian offices his fellow creature from cradle to grave—so frugal a thing is devotion, so cheap religion, so easy the terms on which man may worship his Maker, and so small the income, in the opinion of ecclesiastics, sufficient for the duties of a clergyman, as far as he is connected at all with the Christian religion.

“I think the Curate has by far too little—



bloated with the full tenth, I think the Church would have abundantly too much.

"The provision of the Church is not absolute property, like an estate, but payment for a duty: it is salary for prayer, not the gift of God independent of the duty. He did not send his Son to suffer on earth, to establish a rich priesthood, but to save mankind---it is the donation of the laity, for the duty of prayer. The labourer deserves hire for doing his duty:--he is paid not as a high priest, but a pastor in his evangelic, not his corporate capacity;---when he desires to live by his ministry, he demands his right; when he desires the tenth of your wealth, he demands your right; and he presumes riches to be the right of the Church, instead of supposing, what he ought, the Gospel to be the right of the people; and competency for preaching the Gospel---not luxury, to be the right, as it is the profession of the Church. A provision for the Minister of the Gospel on its own principles, keeping clear of the two extremes---poverty on one side, and riches on the other; both are avocations from prayer; poverty, which is a struggle how to live, and riches, which are an occupation how to spend. But of the two extremes, I should dread riches---and above all, such indefinite riches as the tenth of the industry.

capital, and land of \$,000,000, would heap in the kitchens of 900 clergymen—an impossible proportion; but if possible, an avocation of a very worldly kind, introducing gratifications of a very temporal nature—passions different from the precepts of the Gospel. Ambition, pride, and vain glory, add to this acquisition of the tenth—the litigation which must attend it, and the double avocation of luxury and law; conceive a war of citations, contempts, summonses, civil bills, proctors, attorneys, and all the voluminous train of discord, carried on at the suit of the man of peace—by the plaintiff in the pulpit, against the defendants, his congregation. It is a strong argument against the tenth, that such claim is not only inconsistent with the nature of things, but absolutely incompatible with the exercise of the Christian religion. Had the Apostles advanced, among the Jews, pretensions to the tenth of the produce of Judea, they would not have converted a less perverse generation; but they were humble and inspired men—they went forth in humble guise, with naked foot, and brought to every man's door, in his own tongue, the true belief; their word prevailed against the potentates of the earth; and on the ruin of the Barbaric pride, and Pontifical luxury, they placed the naked majesty of the Christian religion.

"This light was even put down by its own Ministers, and on its extinction, a beastly and pompous priesthood ascended: Political potentates, not Christian pastors—full of false zeal, full of worldly pride, and full of gluttony—empty of the true religion. To their flock oppressive—to their inferior clergy brutal—to their King abject; and to their God impudent and familiar; they stood on the altar, as a stepping-stool to the throne, glozing in the ear of princes, whom they poisoned with crooked principles and heated advice, and were a faction against their King, when they were not his slaves; ever the dirt under his feet, or a poniard in his heart.

"Their power went down, it burst of its own plethora, when a poor reformer, with the Gospel in his hand, and in the inspired spirit of poverty, restored the Christian religion.—The same principle which introduced Christianity, guided reformation. What Luther did for us, philosophy has done, in some degree, for the Roman Catholics, and that religion has undergone a silent reformation; and both divisions of Christianity, unless they have lost their understanding, must have lost their animosity, though they have retained their distinctions. The priesthood of Europe is not now what it was once; their religion has increased, as their power has diminished.—

In these countries, particularly, for the most part, they are a mild order of men, with less domination, and more piety; therefore their character may be, for the most part, described in a few words:—morality, enlightened by letters, and exalted by religion;—such, many of our parochial clergy, with some exceptions, however, particularly in some of the disturbed parts of the kingdom;—such some of the heads of the Church—such the very head of the Church in Ireland. That comely personage who presides over a vast income, and thinks he has great revenues, but is mistaken—being in fact, nothing more than the steward of the poor, and a mere instrument in the hand of Providence, making the best possible distribution of the fruits of the earth.—Nay, there are of the Church some superior to the prejudice which on the subject of Tithes, may be excepted.

“Of all institutions,” says Paley, “adverse to cultivation, none so noxious as Tithe—not only a tax on industry—but the industry that feeds mankind.”

“It is true, the mode of providing for the Church is exceptionable, and in some parts of Ireland has been, I apprehend, attended with very considerable abuses: these are what I wish to submit to you.... You will enquire whether,

in some cases, the demands for Tithes have not been illegal---the collection of them oppressive---the excess of demand uncharitable---and the growth of it considerable, and oppressive---Whether, in all cases, the Tithe-farmer has been a merciful pastor---the Tithe-proctor an upright agent---and even the Vicar himself a most un-biassed judge. . .

“ In this inquiry, or, in forming some regulations for this inquiry, you will not be withheld by the arguments of pride, bigotry, and prejudice---that argument which, reflecting on God, maintains the sacred rights of exaction---that other argument which, reflecting on Parliament, denies your capacity to give redress---that other argument which, reflecting on human nature, supposes that you inflame mankind by redressing their grievances ;---that other argument which traduces the landed interest of Ireland as an extortioner, and belies one part of the community to continue the miseries of the other ; ---an argument of calumny---an argument of cruelty. Least of all, should you be withheld by that idle intimation stuffed into the speech from the throne, suggesting that the Church is in danger, and holding out, from that awful seat of authority, false lights to the nation, as if we had doated back to the nonsense of Sa-

the world's sday, and were to be ridden once more by the fools and bigots. Parliament is not a bigot—you are no sectary, no polemic;—it is your duty to unite all men, to manifest brotherly love and confidence to all men?—The parental sentiment is the true principal of Government. Men are ever finally disposed to be governed by the instrument of their happiness;—the mystery of government, would you learn it?—look on the Gospel, and make the source of your redemption the rule of authority; and, like the hen in the Scripture, expand your wings, and take in all your people.

“Let bigotry and schism, the zealot's fire, the high priest's intolerance, through all their discordancy, tremble, while an enlightened Parliament, with arms of general protection, overarches the whole community, and roots the Protestant ascendancy in the sovereign mercy of its nature. Laws of coercion, perhaps necessary, certainly severe, you have put forth already, but your great engine of power you have hitherto kept back; that engine, which the pride of the bigot, nor the spite of the zealot, nor the ambition of the high, nor the arsenal of the conqueror, nor the inquisition, with its jaded rack and pale criminal, never thought of:—the engine which, armed with physical and moral

blessing, comes forth, and overlays mankind by services;—the engine of redress—this is Government; and this the only description of Government worth your ambition. Were I to raise you to a great act, I should not recur to the history of other nations; I would recite your own acts, and set you in emulation with yourselves. Do you remember that night, when you gave your country a Free Trade, and with your hands opened all her harbours?—That night when you gave her a Free Constitution, and broke the chains of a century—while England, eclipsed at your glory and your Island, rose as it were from its bed, and got nearer to the sun? In the arts that polish life---the inventions that accommodate; the manufactures that adorn it---you will be for many years inferior to some other parts of Europe; but, to nurse a growing people---to mature a struggling, though hardy community, to mould, to multiply, to consolidate, to inspire, and to exalt a young nation; be these your barbarous accomplishments!

“ I speak this to you, from a long knowledge of your character, and the various resources of your soul; and I confide my motion to these principles not only of justice, but of fire; which I have observed to exist in your composition, and occasionally to break out in a flame of public zeal,

leaving the Ministers of the Crown in eclipsed degradation... It is therefore I have not come to you furnished merely with a cold mechanical plan; but have submitted to your consideration the living grievances—conceiving that any thing in the shape of oppression made once apparent—oppression too of a people you have set free—the evil will catch those warm susceptible properties which abound in your mind, and qualify you for legislation.”

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When Mr. Grattan had concluded,

Mr. FITZGIBBON (Attorney-General) rose, and, with great candor, acknowledged, that the great effort which Mr. Grattan had now made, must have excited the admiration of every man who witnessed it—for surely he might, with justice, say, that this was the most splendid display of elocution that House had ever heard;—and,

Mr. CURRAN also observed, that the extraordinary talents of the honourable mover (Mr. Grattan) had left nothing for any one to add;—he found himself as unable to add to his arguments, as the other side of the House were to answer them.



On the division, it appeared that there were,

For Mr. Grattan's motion only . . . . . 48

Against it . . . . . 121

Majority . . . . . 73

**Mr. GRATTAN**, unwearied in pleading the cause of the poor of Ireland, again brought forward, on the 14th April, the deeply interesting subject of Tithes, for the consideration of the House.—Though opposed by majorities, whose existence seemed to depend on their submission to the will of the Cabinet—though defeated in every effort to heal the wounds of Ireland, inflicted by a system of Government, which had no object in view but the extinction of Irish spirit, and the ascendancy of English influence, he left no means untried, nor no opportunity unseized, to assert the great principle of justice and of right, on behalf of his oppressed and suffering countrymen;—he wearied the ears of a corrupt Parliament with incessant remonstrances

and upbraidings,—and if he did not succeed in convincing the gentlemen of Ireland, that the course which they then pursued led to their own degradation, and ultimate conquest, he at least satisfied the friends of truth and independence, that he performed, with fidelity and with courage, the high trust which the people had reposed in his talents and integrity.

He now submitted to the House a series of Resolutions, which he intended to move, in the course of the ensuing Session.—He thought the great principles of redress should be thoroughly considered;—that the following Propositions should be submitted to, and most maturely weighed by the Church—the foundation of future Bills;—that they should stand the sentiments of the Commons, (and if resisted by a Right Reverend Bench) *their* acquittal and justification.—He accompanied each resolution with enlightened and profound comment; and has thus bequeathed to the future legislator, a record of those principles which are best calculated to direct his understanding in the consideration of a question, that now, more than ever, should occupy the attention, and command the efforts of a wise and provident Administration.

On this occasion, he addressed the House, as follows:

**"MR. SPEAKER,** I submit to you certain great principles as propositions to the Church.—To stand the foundation of future Bills, to stand the sentiments of the Commons, and to be (if these sentiments are resisted by a right reverend bench) our acquittal and justification to the public.

The first resolution relates to barren land.

**"Resolved,** that it would greatly encourage the improvement of barren lands in Ireland, if said lands, for a certain time after being reclaimed, were exempt from the payment of Tithes."

**"This** is a maxim of politics, and requires nothing more for its adoption, on the part of the Church, but the exercise of Christian charity and common sense. This is the law of England, —and true in the wilds of America, as well as in England, a principle which barbarity and civilization equally proclaim.

**"This** does not ask any thing from the clergy except the use of their understanding—that they will restrain an unseasonable appetite—postpone a premature voracity. That they will, on this occasion, indulge themselves in a sagacity superior to that of the fowls of the air, who devour the seed, and equal to the wisdom of the hind, who waits for the harvest.—Have mercy on the infant labours of mankind; respect the plough, and instead of dogging its paces as a constable

would a felon, imitate the barbarous, but in this instance more civilized Persian Monarch, who began his reign by taking the plough in his royal hand, and did homage to that patient instrument which feeds mankind.

“ To say that the Bill in question enriched the community at the expence of the clergy, was but a poor and uncharitable argument, the result of hot counsel, and crabbed sentiments. If it does enrich the community—true—but not at your expence—you give nothing. What! will the eagle come down, that you may Tithe him, and the stag of the mountain stop at thy bidding? You give nothing, except to yourselves and your successors the chance of getting something from that which, but for such an encouragement, might remain to you and to us, to all eternity, wretched and unprofitable. Supposing, therefore, that the clergy were in no particular to make sacrifices to the good of their flock, that they were to get every law they asked for themselves, and to assent to none on the behalf of their parishioners—yet still should they accede to this measure—on a principle of enlightened selfishness—on a principle not of piety, but of usury, and to resist it would argue an incapacity to see not only the public interest but their own.

"On such a principle of narrow and ignorant precaution had the laity proceeded, they would never have granted the premium on the inland carriage of corn, nor on the export of corn, nor on the export of linen, on the sale of woollen, nor the growth of flax, nor of rape: they would have checked the growth of agriculture, and of manufacture; and of course the growth of Tithes. Make the precaution of some of the heads of the church the folly of the laity—extend their principles to us, and we starve the community.

"To suppose that the encouragement given to barren lands would lay the foundation of law-suits, is only to argue an ignorance of the law—has the law done so with respect to flax, done so with hemp or bog? and yet such laws have existed. Do not they know that the Barren-land Bill was not an original bill, but an extension of the provisions of acts already in existence, from whence none of these consequences had flowed; and therefore this objection only proves the objectors to be, I will not say bad lawyers and bad husbandmen, but to be, I will say, in their knowledge of husbandry, and their knowledge of law, vastly inferior to themselves in the science of divinity; and while I excuse the errors of some of the reverend bench, I much honour

the sense of those of their own order on that bench, who did most decidedly and explicitly differ from them; who saw that the clergy had a common interest in the country; that it was inconsistent in them to desire to partake of the growth of the kingdom, and to check that growth when the opportunity occurred; who saw the feeble policy of any thing like a little combination against the general sense; who thought the best method of preventing a faction in the laity was to resist a faction in the church; and who also thought that the two Bills, the Hemp Bill, and the Barren-land Bill, recommended by Government, sent up by the unanimous sense of the House of Commons—proved to be useful by the example of Great Britain, and espoused by public wishes, was not exactly the ground on which the Bishops should post themselves against the interest of the community.

“ I have mentioned that this measure is supported on principles of Christianity.

“ Isaiah makes two predictions—the one is a denunciation against such as oppose the kingdom of Christ; the second an annunciation to those who receive it; and he makes the point of the curse that very sterility which the enemies of this measure would promote, and the point of the blessing that very fertility which the bill went to

encourage; "The wilderness and solitary place shall be glad, and the desert shall blossom as the rose."

"I have taken the prediction of Isaiah, and reduced its principle to a resolution, which I have already read, and which I shall have the honor to propound to you, and I put it to grave authority to verify their prophet.

"In the measure to which I refer there was a particular compact, if report says true: three Bills were brought in; two were to be rejected by the influence of Government in this House, provided the third should pass the Lords, without the opposition of the church. Thus the public were to receive some benefit, and the excessive zeal of a certain part of the right reverend bench, was to be shielded by the hand of Government from repeated opportunities of exposing their principles.

"The compact was fulfilled on the part of Government; two Bills were rejected in the House of Commons by compact, and the third destroyed in the other House, in breach of compact. A Minister is, I must suppose, a heretic, with whom holy men need not observe faith. To destroy this Bill, the first method that occurred was petition; the petitioners, very few in number, but certainly very respectable names, complain that they will

be greatly prejudiced by the improvement of barren lands;\* they petitioned against it in the most unqualified manner, not against any particular clause, nor against the frame of the Bill, but against the Bill itself. The names are few; but if names alone, without reasons, could give weight to a petition, this petition has that weight, I acknowledge. I should be sorry to offend against the interest or the apprehensions of the petitioners; unable to reconcile both, and obliged to make a choice, I must advance their interest in defiance of their dispositions. Petition was not deemed sufficient; another method of damnation was resorted to—amendment, and the amendment was a clause of encroachment—an encroachment of the worst kind, an extension

\* To the Right Honorable the Lords Spiritual and Temporal, in Parliament assembled.

The humble Petition of several of the Clergymen of the Church of Ireland, on behalf of themselves and others of the said Clergy, Sheweth :

That your Petitioners apprehend that the Clergy of the said Church in general, and your Petitioners in particular, will be greatly prejudiced in their properties, in case a Bill now depending before your Lordships, to extend the provision of an “Act to encourage the improvement of barren and waste land and bogs, and planting of timber trees and orchards,” should pass into a law.

Your Petitioners therefore humbly beseech your Lordships to permit them to be heard by counsel against the said Bill.

And your Petitioners will pray.



of the power of the spiritual courts over the temporal; the spiritual courts were to stand in the place of judge and jury. With what safety you will decide, when I read you two decrees of the spiritual court of Oloyne, one excommunicating a countryman for refusing to pay tithes of turf against law, and the other excommunicating eight persons for the same illegal reason. The idea of their amendment was this—“No encroachment on sterility: no invasions of the plough on barren land, unless you will at the same time invade the boundaries of your law.” This presumptuous amendment being most judiciously withdrawn, because it could not have passed, (for it could not have passed the House of Lords ultimately) another was introduced not equally mischievous: but I speak with the greatest deference to high authority—a little unintelligible—a little long—a little perplexed, and a little embarrassing—a clause in an old miscellaneous act is extracted, to be applied to the case of barren land, to which, in the English act, it had no immediate reference. The above clause requires two witnesses on the part of the countryman, and gives to the Parson double costs, and obliges the countryman to declare in prohibition, laying him under the difficulty of an action at law.

“The Bill so loaded justly fell; those vigilant

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but, in this instance, most mistaken men, who destroyed it, will hereafter see the wisdom of adopting the Bill without the first amendment, without the second amendment, and without any amendment at all.—One should imagine some characters took a pride in barren land; in this sentiment only have they resisted the Bill, founded on the English act, enabling the Bishops to grant leases;—is it not enough that a thirteenth part of the land of the country should be in the hands of ecclesiastical corporations? Is it necessary that such land should be as barren as possible? You need not ask which is Church land in Ireland; you know it by the infallible traces of barrenness and misery; contiguity to a great town is not sufficient to give life and pulsation to this palsied part of the creation; one would imagine the estate was doing penance on earth, and that the inhabitants had laid up all their treasures in Heaven; or were here in a state of purgatory, under Protestant Bishops. Strange, that the latter should object to a tenure which would enable them to make freeholders, and encourage the Protestant interest; strange, that they should insist on keeping their estates on terms at once hostile to representation and conformity.

“The next resolution which I shall propose to you is one respecting flax: It is as follows:

“ Resolved, That a domestic supply of flax is an object to which all his Majesty’s subjects of Ireland should contribute.

“ 2. That this House has greatly contributed to said object by various bounties, but that the linen manufacture has only flourished in those parts of the kingdom, were a total exemption from, or a small composition for, Tithe of flax has existed.

“ 3. Resolved, That in order to extend the linen manufacture, said exemption or composition should be made general.”

“ This too is a principle—the rudiments of manufacture should not be tithed—surely not of your staple, and above all, not of your only staple manufacture; to advance this has been long the speech from the throne, the echo of that speech your address, and the object of various and expensive premiums; to introduce it into the South has been long the wish of that province; to attend to it now has become your particular duty, because Russia has laid a duty of five per cent. on her exports to these countries, the treaty with England being at an end. Will any man in the South sow flax to pay 12s. an acre Tithe, when in the North he pays but 6d. per farm? The despair of the southern provinces to grow flax, in any degree, was admitted by a proposal to distri-

bute, the flax, premiums into provincial portions, on an allegation that the North took a great portion, and the South little or nothing; that is, the North does grow flax because it does not pay Tithe; and the South does not grow flax, because it does pay Tithe; and thus embarrassed by the Tithe, the wretched expedient was to take the bounty from the North, in order to pay the Tithe of the South.

“ Here again I must do justice to Government; they did intend a modus for flax as well as for hemp, and one reason, perhaps, among others, was the late duty on Russian flax. This gracious and benign intention of Government, was by episcopal interference, rendered abortive; that same episcopal interference, on which the nation is to charge the loss of the Barren-land Bill, did, with the best intention, to be sure, but the worst effect, oppose both salutary measures—the modus for hemp and the modus for flax.

“ That opposition to the Hemp-Bill failed, because that Bill was deemed beneficial to the navy of England, and was an English as well as an Irish measure; but that opposition to the Flax Bill succeeded, because flax was only material to the Irish manufacture, and was a measure purely Irish. The Hemp Bill, however, did not pass unmolested, and the same regard in holy

men for ties with a Minister, still operated; it was teased and persecuted by that same episcopal interference. This Bill was to have been defeated by petition; \* the petitioners complain of this Bill in the same unqualified manner as in the instance of barren land; they are to be ruined by the extent of manufacture—petition was not relied on; this Bill was also to have been defeated by amendment; that amendment, intended by way of preamble, set forth, that hemp was an article necessary for the navy of England, to which all his Majesty's subjects should contribute—a facility this in a reverend quarter to grant public money for new purposes, beyond the bounds of duty. This preamble contained three principles; first, an implied protest against the principle of *modus* in favour of Irish manufacture. Secondly, an express assent to that principle of

\* To the Right Honorable the Lords Spiritual and Temporal, in Parliament assembled.

The humble Petition of several of the Clergymen of the Church of Ireland, on behalf of themselves and others of the said Clergy, Sheweth :

That your petitioners conceiving that themselves and their brethren may be materially injured by a Bill now before this House, entitled “An Act for the better ascertaining the Tithes of Hemp,” and which is committed for Saturday next, humbly beseech this right honorable House, to permit them to be heard by counsel against the said Bill.

And your petitioners will pray.

supply to that navy, originating in the Lords, in breach of the privilege of the Commons, at the suggestion of the spiritual Peers; as the other amendments encroached on the temporal courts, so this encroached on the Commons. This amendment being most wisely given up, because impracticable, as well as most improper, the whole repugnance to the Bill ended in an idle resolution, declaring "that a domestic supply of hemp may greatly contribute to the maritime protection of this kingdom, an object to be promoted by the united exertions of all his Majesty's subjects;" of which resolution the reverend petitioners have the most reason to complain; for it says, "you petition against the manufacturing part of your own flock; there you are perfectly right, and we are with you; but your petition goes also against the interest of the navy of England: there you go too far: besides, this is a question of British Government, and we on this point not only leave you, but we protest against you, and have entered on the journals our resolution accordingly."

"So it appears, as the business was mismanaged; but these who know the zeal on this occasion of some of the right reverend bench, must be convinced that this never was their intention: on the contrary. they did most en-

fully approve of the petitioners and the petition, and had not perhaps confined their compassion with the petition to the cold and languid office of mere approbation.

“The next resolution relates to the subsistence of the poor, as the two others relate immediately to their industry; it is proposed to put the poor of the South on the same footing with the poor of the North, East, and West, by exempting his potatoe garden from Tithe.—When we state that potatoes are the food of the poor, we understate their importance—they are more, they are the protection of the rich against a poor rate, and therefore invaluable to you, as well as the peasant.

“Resolved, That Potatoes are the principal subsistence of the poor in Ireland, and are, in a great part of the kingdom, most fortunately exempt from Tithe.

“Resolved, That it would much contribute to relieve the poor of the South of this Kingdom, if the benefit of said exemption was extended to them; and if it shall be made to appear that the owners of Tithe shall suffer thereby, this House will make them just compensation.”

“In three-fourths of this kingdom potatoes pay no Tithe; in the South they not only pay,

but pay most heavily. They pay frequently in proportion to the poverty and helplessness of the countryman; for in the South it is the practice to crouch to the rich, and to encroach upon the poor; hence perhaps in the South the mutability of the common people. What so galling, what so inflammatory, as the comparative view of the condition of his Majesty's subjects in one part of the kingdom and the other!—In one part their sustenance is free, and in the other tithed in the greatest degree; so that a grazier coming from the West to the South shall inform the latter, that with him neither potatoes nor hay are Tithed; and a weaver coming from the North shall inform the South, that in his country neither potatoes nor flax are Tithed; and thus are men, in the present unequal and unjust state of things, taught to repine, not only by their intercourse with the pastor, but with one another.

“To redress this, requires no speculation—no extraordinary exercise of the human faculties—no long fatiguing process of reason and calculation, but merely to extend to the poor of the South the benefits which are enjoyed by his Majesty's subjects in the other parts of Ireland; it is to put the people of the South on a level with their fellow-creatures.—If it shall



be said that such an exemption would cause a great loss to the person—what a terrible discovery does that objection disclose! that the alms of the South are principally supported by the poor, by those whom they ought, as natural men, to relieve, and Christian men support, according to the strictest discipline of the Church.

“To excite a certain quarter to this principle, perhaps the best method would be the stimulation of example.—I shall accordingly produce two examples; one example drawn from the country supposed to be the most bigoted in Europe, and the other from that man supposed to be the most prone to clerical avarice and ambition.—The first, the kingdom of Spain; the latter is the Pope. In 1780, Pope Pius the 6th sends a brief to the King of Spain; enabling him to dispose of one-third of ecclesiastical estates and benefices in his presentation, to which an cure of souls was annexed, in charity; and further sets forth in his brief this reason, that the relief and succour of the poor was particularly incumbent on him. The King of Spain, in 1782, pursuant to this brief, publishes his edict, reciting the brief, and appointing a commission to dispose of the third, as above recited, in the support of the poor, and then he specifies the ob-

jents; endowments of all kind of retreats and receptacles for the poor, such as hospitals and houses of charity, foundations for orphans and foundlings:—The better to enforce the execution of the first edict, the King of Spain publishes another, commanding, in a peremptory manner, the execution of the first; and he adds a principle inseparable from the claims of Tithe; that such charitable aids peculiarly belong to ecclesiastical rents, according to the most sound and constant discipline of the Church.

“Here are the Sovereign Pontiff of the Catholic faith, and the Catholic King of Spain, distributing one-third of a part of the revenues of their Church for the poor; and here are some of the enlightened doctors of our Church deprecating such a principle, and guarding their riches against the encroaching of Christian charity; I hope they will never again afford such an opportunity of comparing them with the Pope, or contrasting them with the Apostles.—I do not think their riches will be diminished; but if they were to be so—is not the question directly put to them, which will they prefer? their flock or their riches? for which did Christ die, or the Apostles suffer martyrdom, or Paul preach, or Luther protest! Was it for the Tithe of flax, or the Tithe of barren land, or the Tithe of

potatoes, or the Tithe-proctor, or the Tithe-farmer, or the Tithe-pig?—Your riches are secure; but if they were impaired by your acts of benevolence, does our religion depend on your riches? On such a principle your Saviour should have accepted of the kingdoms of the earth, and their glory, and have capitulated with the Devil for the propagation of the faith. Never was a great principle rendered prevalent by power or riches;—low and artificial means are resorted to for the fulfilling the little views of men, their love of power, their avarice, or ambition; but to apply to the great design of God such wretched auxiliaries, is to forget his divinity, and to deny his omnipotence. What! does the word come more powerfully from a dignitary in purple and fine linen, than it came from the poor apostle with nothing but the spirit of the Lord on his lips, and the glory of God standing on his right hand? What! my Lords, not cultivate barren land; not encourage the manufactures of your country; not relieve the poor of your flock, if the church is to be at any expence thereby!—Where shall we find this principle? not in the Bible. I have adverted to the sacred writings, without criticism, I allow, but not without devotion—there is not in any part of them such a sentiment—not in the purity of

Christ, nor the poverty of the apostles, nor the prophesy of Isaiah, nor the patience of Job, nor the harp of David, nor the wisdom of Solomon!—No, my Lords; on this subject your Bible is against you—the precepts and practice of the primitive church against you—the great words *increase and multiply*—the axiom of philosophy, that nature does nothing in vain—the productive principle that formed the system, and defends it against the ambition and encroachments of its own elements; the reproductive principle which continues the system, and which makes vegetation support life, and life administer back again to vegetation; taking from the grave its sterile quality, and making death itself propagate to life and succession—the plenitude of things, and the majesty of nature, through all her organs—manifest against such a sentiment; this blind fatality of error, which, under pretence of defending the wealth of the priesthood, checks the growth of mankind, arrests his industry, and makes the sterility of the planet a part of its religion.

“As I have proposed three measures for the benefit of the People, I shall now submit a fourth for the benefit of the Church; it is a Resolution, which is as follows:

**“Resolved, That this House will do readily to relieve the owners of Tithes from the necessity of drawing the same; and to give said owners a power of recovering the value of the same, in all cases, by civil bill, or otherwise, provided said owners of Tithe shall conform to certain ratages to be ascertained by Act of Parliament.”**

**“The Resolution will be best explained by a Bill, which I have drawn, and which I mean to propose hereafter;—the brief of which I will now state to you. The Bill enacts, that every owner of Tithe shall be relieved from the difficulty of drawing the same, by civil bill, for any sum whatsoever; provided said owner of Tithe shall conform to certain ratages in the Bill set forth;—these ratages will be such as Parliament shall think proper, different, perhaps, according to the different provinces, and the result of the inquiry of provinces, and the result of the inquiry of provincial committees.**

**“I have set forth, in the Bill for Munster, such a ratage as was nearly stated by learned authority, as the average ratage of the richest diocese therein; the principal articles of which are,**

**6s. Potatoes, the Irish acre.  
6s. Wheat.  
3s. Barley.**

**3s. Meadow.  
3s. Oats.**

"The Bill enacts, that, in the neighbourhood of a city, the tithe of meadow shall be increased; it further enacts, that the owner of Tithe shall have a power, on due notice, to enter, in order to survey; it enacts, that the above ratages shall be estimated as worth so many stone of bread corn, which is every seven years to be valued by the clerk of the market, who strikes the averages for the kingdom;—that septennial valuation of the corn, to be the septennial ratages for the owner of Tithe.

"The Bill enacts, that all small dues shall cease, and that, instead thereof, in parishes where small dues shall have been paid for these last ten years, a valuation shall be made of such, by a person appointed in vestry; said valuation to be levied, not off the poor, nor the particular individual, but generally after the manner of baronial charges; my idea and fixed intention being to relieve the poor of the South from the tithe of potatoes, and the North from small dues—an endeavour which, however opposed, will, by perseverance, succeed;—it is rational, it is just.—The Bill contains a proviso, which saves and confirms all kinds of moduses or exemption; so that what has not hitherto paid, shall not pay now;—thus, potatoes, and other articles, where

they have not usually paid, shall not become tituable: . . . . .

“The next resolution is, to compel residence :—’tis strange that such a resolution should ever have become necessary. . . . .

“Resolved, That the better to secure the residence of the Clergy, a moderate tax on non-residence would be expedient.”

“In the long contest of the Clergy on the subject of Tithe, I do not find that residence has been much insisted on, as useful to the Protestant interest, though Tithe has been thought indispensable. Provided Tithe shall be paid, it seems what is done for the Tithe, the preaching and the praying, is not material, in the opinion of the grave and reverend personages;—the army do not act by proxy;—the commissioners, the judges, do not act by deputation. I have never heard of virtual redemption, salvation by remote and magetical operation. Residence is required by canon, common, and statute law; by the canon law, a parson, who left his living without leave, was deprived. By the common law it appears, that residence was necessary; for when an action was brought against the rector of B. he pleaded that he was commorant in D. The plea was over-ruled, because he had not denied himself to be rector of B. and his parish

determined his locality necessary by several statutes. The acts of Henry VIII. after forty days non-residence, imposes a fine. The act of Edward VI. after eighty days absence, disables the parson from recovering on his own lease. The act of Henry VI. subjects a parson, who leaves the country, to the forfeiture of his annual income. But though the law were silent, decency on this occasion is loud.

“What a cast and complexion are thrown on this question, and those who so strenuously insist on the law for Tithe, and so commonly transgress the body of law, that requires them to attend the duties of religion! In England, residence is better observed and enforced. The practice of England has shewn a greater regard both for husbandry and prayer; and yet in England residence is not more necessary, because our lower people want more instruction, and our country can less afford any addition to the absentee drain, to which an absentee Tithe, and absentee Gospel, are sad aggravations!—Talk not of a want of glebe-houses, or even of churches.—has the Presbyter a glebe-house?—Has the Priest a glebe-house?—Does the latter preach the errors of the Church of Rome from a straw-built hovel?—and do our Clergy, to preach the



truth of the Protestant religion, require a trans-  
 sion?—Had the first-fruits been, by the richer  
 parts of their own order, and particularly the  
 Bishops, faithfully and justly valued, and applied  
 to the building of churches and the increase of  
 poor livings, the advocates for non-residence  
 would want their voluptuous apology.—But it has  
 happened that the first-fruits, by a remote and  
 antiquated valuation, are rendered of no account  
 —they do not, by that valuation, which was made  
 in the reign of Henry VIII. produce more  
 than 400*l.*; at this day the Bishoprics alone  
 amount to near 70,000*l.* a year, the first-fruit  
 of which, without going farther, would be a great  
 fund for building of churches and glebe-houses,  
 and increasing poor livings. You see that in fact  
 first-fruits are now a most miserable modus; and  
 it is very remarkable, that the very men who  
 object to any modus, however rational, in favour  
 of the manufacturer, have themselves set up a  
 modus against the Church—a modus, the most  
 irrational and illiberal, against the poor of their  
 own order, and the House of their own God!  
 “We cannot reside, because we have neither  
 house nor church;” that is, the richer part of  
 your order have taken to themselves the funds  
 of the Church, and now you have no place to  
 pray in.

But though I would compel residence, I would compel it by a moderate process; a moderate tax, to commence after absence for a certain time; I would not leave the dispensing with residence to the Bishop, because I would not put into his hands the talents and suffrages of the parochial clergy—I would not enable him to say, ‘Sir, you have written too freely on constitutional subjects, you must reside;’ or, ‘Sir, you have voted for the popular candidate, and must reside.’—I would not make residence an instrument of undue influence; nor would I wish to make the parochial clergy mean and subservient to their Bishop.—I would compel residence by a tax, and that should be moderate, with certain allowances; my principle with respect to the residence of the minister being this, his parish ought to be his house, but not to be his prison.

I have submitted the Resolutions—I mean to put the House in possession of them—all I desire is, that they may have a fair examination of Government; all I ask is impartiality—all I deprecate is predetermination;—I do not desire that they should assent to either my facts or principles, but I desire a fair trial for both.—I desire moreover, that in holding their deliberation, they may not take into their cabinet the enemy.—If these principles are false, they will

die of themselves, without the interposition of Government; if right, they will at last prevail, and then Government would be obliged to retract a resistance precipitately made.—As to the southern peasantry, all I ask on their part is Peace. If the White-boys break out again, I give up this business:—I will be the first to support strong measures of coercion.—The gentlemen of the South should inform them, that if they had originally represented the oppressions they suffer under Tithe, by humble petition to Parliament, they must have been redressed; the Parson and the Tithe-farmer would not have chosen to have defended, or to continue demands publicly stigmatized for extortion and avarice. In a free country, the mere promulgation of injury, is the certainty of redress; but those desperate wretches had not the courage to apply to the Legislature, and had the despair to apply to outrage; the consequence was, as always must be, they consigned their bodies to the hangman, and left to their families a continuation of the grievances; and involved in their disgrace a great part of the peasantry, who were equally oppressed, and entirely innocent. The truth is, the Tithe-farmer had no case but the White-boy; they both stood on the crimes of the other, and murder was a greater offence than extortion.

...“With respect to a right reverend bench, I mean a part of that bench, all I ask is temper. I stated several allegations—I am ready to prove them. I stated, that in some parts of the South the demands of Tithe had exceeded the bounds of law; I repeat the allegation. I stated that the proctor had, in many places, demanded and received a certain per centage, called proctorage, against law and charity; I repeat that allegation. I stated, that in parts of the South, certain ministers or their proctors had been guilty of exactions which were unconscionable, and I stated also that they had recently, and greatly and unconscionably increased their rates; I repeat that allegation. I stated that the Tithe-farmers did very generally, in the parts disturbed, oppress the common people, and had exceeded their legal powers, or had most grossly abused them: these allegations I repeat now—and am ready to go into proofs, whenever gentlemen choose to give me such an opportunity.

“I am not responsible for the precise quantity of every return stated to me.—Some of the statements are official, and cannot be disputed, and are enormous; others come from the oppressed, and may be sanguine; I am not responsible for the precise quantities in such a case; but I am responsible for this allegation, that

there exists great oppression—I repeat it again, there exists great oppression.

“As to the resolutions which I now submit, and which, next session, I shall move, the right reverend quarter will consider, that some of those propositions are in their principles already the law of England. With what justice can they attempt to deprive Ireland of the benefit of such laws? Ireland, a country requiring so much more encouragement, and paying abundantly more to the Church.—A celebrated Bishop in England has calculated, that the income of the Church in England, including all bishopricks, and even the estates of the Universities, would, if distributed, amount to 150*l.* for each clergyman.—A learned Bishop in Ireland has calculated, that, excluding Bishopricks and Universities, the income of the Church in Ireland would amount to 148*l.* for each clergyman.—Thus, by this calculation, excluding their great riches, I mean the bishopricks, the ministers of the Protestant Church of Ireland have within 2*l.* as much as in England; and, including bishopricks, must have, beyond all comparison, more than in England, where the extent of the cures is incomparably less, even supposing our clergy were all to reside, and while this kingdom has two other orders of priesthood to support.—Such of our Bishops

who came from another country, and have intercepted the views of some of the younger branches of our best families here, will naturally wish to make some compensation.—The laws of the country to which they owe their birth, they I suppose will not object to communicate to this country, to which they owe their situation.

“ Some of the resolutions are not only founded on principles of husbandry, but maxims of Christianity; these I hope will not meet with inveterate opposition from any of the right reverend bench;—those of them the most adverse and inveterate will soften, when they consider the Christianity of clothing the naked and feeding the hungry; or rather, indeed, of suffering the naked and the hungry to feed and clothe themselves, by encouraging their manufacture—giving certain privileges to their infant labours, and by leaving in their principal food the poor unoppressed by avarice and exaction under any pretence whatsoever. However, if this shall not be the case—if these sound doctrines and these charitable principles are received by some of a certain quarter with hardness of heart, and their author with clerical scurrility, I cannot help it; I shall persist, notwithstanding, in making my solemn appeal against such men to their own gospel; which, as it is the

foundation of their power, so must it be the limits of our veneration."

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## THE RIOT ACT;

OR,

*Bill to prevent tumultuous Risings and Assemblies.*

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THE debate which took place in the Irish House of Commons upon this Bill, is so particularly calculated to demonstrate the wisdom of those measures, which were recommended by Mr. Grattan, when giving his opinion of the operation of Tithes on the industry and feelings of Ireland; the Compilers of this Volume conceived that they would commit no very serious chronological error, by giving the following Speech, immediately after those, which though in point of time it preceded, are best illustrated by so practical a comment on the violence and pride displayed in the Irish Riot Act, for the prevention of tumultuous risings and assemblies. In this Bill, brought in and recommended by the late Lord Clare (who was

then Attorney-general) will be found that species of remedy, which skims the surface of public injury, while it leaves the thorn which festered and tortured the patient, still rankling in the wound, and eating into its miserable victim.

On the 31st January, 1787, when the House was in Committee, upon that part of the address to the Lord Lieutenant, which related to the disgraceful commotions then raging in the West of Ireland, the Attorney-general submitted to the House the following narrative of facts, on which he intended to found his Bill, for the prevention of tumultuous risings and assemblies. He stated the rise and progress of the disturbance; “the commencement,” said he, “was in one or two parishes in the county of Kerry, and they proceeded thus:—The people assembled in a Catholic Chapel, and there took an oath to obey the laws of Captain Right, and to starve the clergy; they then proceeded to the next parishes, on the following Sunday, and there swore the people in the same manner, with this addition, that they (the people last sworn) should, on the ensuing Sunday, proceed to the Chapels of their next neighbouring parishes, and swear the inhabitants of those parishes in like manner;—proceeding in this manner, they very soon went through the province of Munster; the first ob-



ject was the *reformation of Tithes*; they swore not to give more than a certain price per acre; not to assist, or to allow them to be assisted in drawing the Tithe, and to permit *no proctor*; they next took upon them to prevent the collection of parish cesses; next to nominate parish clerks; and, in some cases, curates; to say what Church should or should not be repaired, and in one case to threaten that they would burn a new Church, if the *old* one were not given for a Mass-house; at last they proceeded to regulate the price of lands; to raise the price of labour, and to oppose the collection of the Hearth-money and other taxes. Bodies of 5000 of them have been seen to march through the country unarmed, and if met by any magistrate, *they never offered the smallest rudeness or offence*; on the contrary, they had allowed persons charged with crimes, to be taken from amongst them, by the magistrate *alone*, unaided by any force."

The Attorney-general said, it would require the utmost ability of Parliament to come to the root of those evils; he did not believe that there was the least ground to accuse the clergy of extortion;—far from receiving the *tenth*, he knew of no instance where they received the *twentieth part*; he was well acquainted with

the province of Munster, and that it was impossible for human wretchedness to *exceed that of the peasantry of that province*; the unhappy tenantry were *ground to powder* by relentless landlords; that far from being able to give the clergy their just dues, they had not food or raiment for themselves; the landlord grasped the whole: and sorry was he to add, that not satisfied with the present extortion, some landlords had been so base as to instigate the insurgents to rob the clergy of their tithes—not in order to alleviate the distresses of the tenantry, but that they might add the clergy's share to the cruel rack-rents already paid; the poor people of Munster lived in a *more abject state of poverty than human nature could be supposed equal to bear*; their miseries, it is true, were *intolerable*, but they did *not* originate with the clergy, nor could the clergy stand by and see them take the redress into their own hands;—upon the best consideration which he had been able to give the subject, two circumstances, which had contributed to spread the commotions, required to be immediately corrected.

The first was, that under the existing law, the kind of combination which pervaded the province of Munster, was deemed *but a misdemeanour*.

nor—aailable offence; and no magistrate could refuse to take bail for it.

The second was, the criminal neglect and insufficiency of magistrates throughout the disturbed part of the country. To check these alarming acts, he would bring in a Bill, which contained such provisions as were calculated to inflict adequate and effectual punishment on persons guilty of outrage—riot—and illegal combination; and of administering and taking unlawful oaths.

After this candid admission, by the Attorney-general, of the extreme wretchedness and misery of the peasantry of the west of Ireland; and after *the confession*, that the application of an adequate and sufficient remedy to heal the public wounds, would require all the talents and understanding of Parliament, it will not be forgotten, that the same law officer opposed every effort made by Mr. Grattan to institute an inquiry into the real cause of the public grievances; and that the Irish Government of 1788 closed their ears against the suggestions of those mild remedies which would have restored *peace and comfort to the poor of Ireland!*

The Bill now brought in by the Attorney-general, for preventing tumultuous Risings and Assemblies, was opposed in every stage by the

patriots of the day—as containing clauses unnecessary and unconstitutional. They objected, that the deviations from the English Riot Act were all founded in the greatest severity, *with the additional consideration*, that the Irish act was to be *perpetual*.

The Attorney-general supported the deviations from the English Riot Act ; but gave up the most odious and objectionable clause—*directing the magistrates to demolish the Roman Catholic Chapels* in which any combinations had been formed, or an unlawful oath administered.

The Secretary, Mr. Orde, lamented that any thing should have *appeared in print*, purporting that those insurrections had arisen from a *Popish conspiracy* !—He declared, he not only did *not* believe it---but he could say, he *knew it not* to be true ; and asserted, that in some places the insurgents had deprived the Roman Catholic Clergy of *one half of their income*.

Upon this occasion, Mr. CURRAN came forward, with his accustomed boldness, to arraign the wisdom, the expediency, and the humanity of the Bill proposed by the Attorney-general, for the suppression of disturbances ;—“ What,” said Mr. Curran, “ has been the effect of your *sanguinary* code against Ireland ?---The overstrained security of your law amounts

universally to the impunity of the offender ;--for every good and social principle in the heart of man is an obstruction to its execution.---The witness---the judge, and the jury, concur, by every practical artifice, to save the wretch from a punishment inadequate to the crime. I will ever oppose the principle of a Bill that *is written in blood*.---The general principle receives double strength from the double circumstance of the times.

“ The disturbances of the South were not only exaggerated beyond the truth, by every misrepresentation of artful malignity, but were held up to the public mind in so silly or so wicked a point of view, as to make it impossible for Parliament to proceed, without the most imminent danger of sacrificing every advantage we have acquired.---What has been the state of your ecclesiastical polity for centuries ?---The Church of Ireland has been in the hands of strangers, advanced to the mitre, *not for their virtues or their knowledge*, but quartered on the country, through their own servility, or the caprice of their benefactors ; inclined naturally to oppress us, to hate us, and to defame us ;---while the real duties of our religion have been performed by our own native clergy ; who, with all the finer feelings of gentlemen and scholars, have

been obliged to do the drudgery of their profession for *forty*, or at most for *fifty* pounds a year;—without the means of being liberal, from their poverty; and without the hope of advancing themselves by their learning or their virtues—in a country where preferment was notoriously *not* to be attained by *either*.

“On this ground, I would vindicate the great body of the native acting clergy of Ireland from any imputation, because of the small progress which Protestantism had made among us; the pride of Episcopacy, and the low state to which our Ministers of the Gospel were reduced, abundantly accounted for it; their distresses and oppression were the real objects of Parliamentary consideration, and not the discovery of new modes of torture, or the enactment of new statutes of blood.”

No man is to be found, in the history of the Irish Parliament, more distinguished for his sensibility to the distresses and sufferings of his countrymen, of every religious persuasion—his fearless and manly assertion of their claims to the attention, the protection, and the justice of the Legislature, than Mr. Curran, (now Master of the Rolls).

It is impossible to read over the Parliamentary History of Ireland, for the last 30 years,

without making frequent pauses, to admire the steady, political virtue—the enlightened—liberal, and comprehensive views—the unrivalled efforts of genius and of wit, of our greatly gifted countryman.

Few Irishmen ever attained so proud and so exalted a situation, as that which Mr. Curran now fills, with such inflexible independence of principle, or of demeanour, or so little humility to men in power and authority—He has risen, by the splendor of his talents, and the integrity of his views, to an almost unexampled degree of public confidence.—He is one of the *very few*, whose constancy to his country has been rewarded by the possession of honors, and emoluments; and was it *not* for that happy interval, when the great and benevolent mind of Charles Fox commanded an ascendancy in the Councils of His Majesty, we should *not* now *perhaps* be able to congratulate our countrymen, on the *justice* which has been done to the transcendent merits of their *first* advocate, and perhaps the *first* advocate in the British Empire.

When the politicians of the day, who, (with some exception) have *risen* in this Country as they *gave* up its liberty and its honor, shall be mingled in the dust, with the hundreds whose ex-

ample they have imitated—when no record will be found of their memory—nor no recollection of their names,—our illustrious Curran will be the theme of every Irish Seminary,—the bright and glowing example of political virtue, in an age of universal sycophancy, and national degradation.

The efforts of Mr. Curran, as well as the great and splendid struggles of Mr. Grattan, *were in vain*;—laws of severity were preferred to measures of redress and conciliation.—The pride of the Legislature would *not* be seen to capitulate to a *barbarous* multitude, and a civil war was preferred, by the Administration of those days, to the healing balsam of parental consideration for the acknowledged sufferings and miseries of the poor.

The Riot Act was the fruit of this *magnanimous spirit*, possessing all the violence of the English act,—with scarcely a single provision of mercy or of humanity.



To this Act, Mr. GRATTAN spoke as follows :

“ MR. SPEAKER,

“ Sir, it is impossible to hear that bill read, or the question put on the committal of it, without animadversion. I agree that the South *should* be coerced. If the populace or peasantry of that district have thought proper to invade personal security, and lay the foundation of undermining their own liberties; if they have resorted to the exercise of torture, as relief for poverty, I lament their savage infatuation, and I assent to their punishment. I assent to it with shame; I blush at the cast of lawlessness thrown on the country, and I lament the necessity of a strong measure—the natural result of shabby mutiny and abortive rebellion.

“ This is not the first time I have had occasion to express my concern at certain excesses of some part of our fellow subjects. See the fruit of those excesses—see the glorious effect of their labour—a Riot Act, aggravated—a Riot Act, *general and perpetual*.—Evils which it was *chance* to foresee, it becomes now *my duty* to mitigate.

“ I will agree to the strengthening of the civil magistrate within a *certain* limitation; I would enable the magistrate to disperse such

meetings as are notoriously for illegal purposes; and I will agree that it is proper not to admit persons to bail who had refused to disperse, as it could only furnish them with an opportunity of repeating their transgressions. I will agree that the persons who dug graves, provided gibbets, and the like, should be punished capitally; for those who made torture their amusement, and practised such inexorable barbarity, I think merit death. I will also agree that there are several clauses in the Riot Act, which it may be proper to adopt. But in the very setting out of the bill, there is an evident departure from, and contradiction of, the Riot Act. The Riot Act stated, that if twelve or more persons, riotously, tumultuously, *and* unlawfully assembled, and refused to disperse, &c.; but this Act stated, if persons, to the number of twelve or more, riotously, tumultuously, *or* unlawfully assembled.—The former was copulative; the latter disjunctive; and the difference was, that if coming within any one of the descriptions tumultuous, riotous, *or* unlawful, felony would ensue, though in England, to constitute the crime, each must be alleged. And when there is a deviation from the Riot Act, I am very sorry to find it is not one founded in mildness and mercy, but one founded in severity. Another difference from the Riot Act is,

that in England the proclamation is obliged to be read; but by this bill, nothing more was required of the magistrate than to command the rioters to disperse, in the King's name. If they did not disperse in one hour, death was the consequence; and this I consider as putting an hour glass in the hand of Time, to run a race against the lives of the people; and this is certainly a great objection.

“Another objection is, that if a magistrate was stopped, when repairing to the place of riot, the person who stopped him would be guilty of felony; that was, though the magistrate was resorting to an unlawful place, the person who obstructed him should be deemed to merit death. And if the persons did not disperse, if the magistrate was interrupted, the reckoning of time was to commence from the moment of his obstruction; and should they continue one hour, they would be guilty of felony, and incur the punishment of death; that is, the interception of a magistrate, at a distance in this kingdom, was to be tantamount to the reading of a proclamation on the spot in England.

“This, I think one of the severest clauses that was ever brought forward, or ever adopted. But even though this had been premised of the English Riot Act, the measure of their severity should not be a measure for the legislation of

the House: if it should, it would be bad in principle, and worse in practice.

“Another clause of the bill made it felony to write, print, publish, send, or carry any message, letter or notice, tending to excite insurrection—that is, that a man, who shall write or print any letter or notice, shall be guilty—of what—of felony! Like the Draconian laws, this bill had *blood! blood!*—felony! felony! felony! in every period and in every sentence.

“Now had this bill been law for some time past, what would be the situation of every man who printed a news-paper for the last nine months?

“What would be the situation of every man who had written upon the subject of Tithes? For as the right of the clergy to Tithes is acknowledged to be founded in law, and as the papers and writers have argued against them, what would be the consequence? Who could tell how their conduct might be construed in a court of law? or whether they might not be adjudged guilty of felony? But I will not ask who would be guilty under such a law; but I will ask who would not be guilty?

“A perpetual Mutiny-bill had been once the law of the land; and yet gentlemen both spoke and wrote against it as dangerous, unconstitutional.

found, and beyond the power of Parliament to sanction.

“ Had this bill been then law, they would have all been guilty of felony, and suffer death. Now he could tell in what manner the words tending to excite disturbance might be interpreted? The clause respecting the taking of arms, and ammunition, or money to purchase them, bears a similarity to the White-boy act; but the White-boy act was more guarded.

“ Now look to the clause which prostrates places of public worship. I consider it as casting a stain of impiety on the whole nation, and enjoining the magistrates, to commit that very act of violence, which is punished with death in the peasantry.

“ It is a revival of the penal laws; and that in the most dangerous and exceptionable part. I call upon gentlemen to consider, that they had no charge against the Catholics to warrant this measure—to consider, that they had notions such as cause for suspicion of them—to consider, if they were a popish peasantry, they were actuated by no popish motive;—to consider, that public thanks had been returned to the principal person of the Catholic religion in this country, for his manly exertions to maintain the public peace, and to protect the rights of the established clergy; and I think, if there be

any thing useful or hindering domesticity, it would operate successfully against the present measure; but it would cast stigmas on the Protestant religion.

"I have heard of transgressors being dragged from the sanctuary, but I never heard of the sanctuary being demolished;—it went on for to hold out the laws as a sanction to sacrilege.—If the Roman Catholics were of a different religion, yet they have one common God, and one common Saviour, with gentlemen themselves, and surely the God of the Protestant temple was the God of the Catholic temple.

"What then does the clause enact? that the magistrates shall pull down the temple of his God—and if it be rebuilt, and as often as it is rebuilt for three years, he shall again prostrate it, and so proceed in a repetition of his abominations, and thus stab the criminal through the sides of his God—a new idea indeed.—But this was not all; the magistrate was to sell by auction the altar of the Divinity to pay for the sacrilege that had been committed on his house. By preventing the chapel from being erected, I contend that we must prohibit the exercise of religion for three years; and that to remedy disturbances, we resort to violence, and endeavour to establish it by act of Parliament. A commission of the peace

might fall into the hands of a clergyman, and this clause *first* occasion him to preclude the practice of religion for three years, then involve him in vile abominations, and afterwards he must preach *peace* upon earth and *good will* towards men. With regard to the clause respecting the obstruction to the collection of Tithes, I do not know how far it may be proper to go into the question of Tithes; I conceive it would not be proper at all, *if not generally*. But since the clergy have with such ability, shown their right to Tithes, by ecclesiastical and civil law, and that a resistance to the collection of that property, under the laws, was improper, the House would find itself in a *strange predicament for its own vote of assent*. If Tithes were legal, the House by that vote certainly deprived the clergy of a great part of them.

“I wish to have the clergy supported; I think the dignity of the country requires it; but as to making new laws for the purpose, I think that part of another business. Perpetuity was another principle of the Bill, and another objection to it. Would any man say that the coercion which might be necessary, from the turbulence of one period, would be requisite at *all future times*? Was it to be handed down an inheritance to posterity? Would they tell the provinces of

Ulster, Leinster, and Connaught, that they would reward their tranquillity in the same manner they did the turbulence in the South? Was it to descend from the fathers to the children, as a kind of original sin, and death, and felony, to be spread in every quarter? It was a fixed principle that the punishment should bear a portion to the crime, but it was not attended to in the Bill. Would any man say, that a man ought to be punished with death for writing, or influencing persons, I will say, by threats or otherwise? I wish, if possible, to confine the operation of the Bill to the offending counties, and contend, that if the Bill is to pass in its present state (but that I believe to be impossible) I will venture to pronounce that it would be absolutely ineffectual; for the crime would be *overshot*, and the feelings of humanity would revolt at the punishment: it would indeed be the triumph of the criminal and the stigma of the laws. I desire to know, whether it is meant to press the Bill, with all its clauses? whether it be intended to submit it to alteration?—If the former, I will oppose it in the first instance; if the latter should be acceded to, I will vote for the committal.”



## ADDRESS

TO THE

## MARQUIS OF BUCKINGHAM.

BEFORE we proceed to give the Speech pronounced by Mr. Grattan, against the Address, voted by the Irish Parliament, to the Marquis of Buckingham, on the 6th of July, 1789,—we shall recall the memory of our readers to that period, when this nobleman was first honoured with the Viceregency of Ireland. The Marquis of Buckingham (then Lord Temple) was first appointed to the government of Ireland in the year 1782, under the administration of Earl Shelburne. He had the misfortune to succeed to the administration of the Duke of Portland, which gave liberty to Ireland, and obtained the affections and gratitude of a free and generous people. Notwithstanding the disadvantage under which Lord Temple laboured, arising from the public apprehensions, that a system of Government was about to be acted upon, calculated to counteract the benefits which were sanguinely anticipated, from the manly, wise, and liberal

policy of his predecessor, his Lordship was received, on his arrival, with public expressions of joy and satisfaction. This flattering manifestation of the public mind was to be attributed to the connection which Lord Temple had formed with the daughter of Lord Nugent; a nobleman whose unwearied services and zeal for Ireland, were thus rewarded by the public attention to his son-in-law. The large and extensive domains of Lord Nugent, in Ireland, constituted the marriage portion of his daughter, whose character is enriched with every virtue and accomplishment, calculated to endear her to the people—charitable, kind and benevolent—the protecting mother of the poor—the unaffected disseminator of liberal and enlightened principles; the Marchioness of Buckingham frequently concealed from the public eye, the defects of her husband's politics; and the sensibility of the Irish heart to *her merits*, sometimes obliterated the invidious impressions which a cold, imperious, and dictatorial demeanour had made on the mind of the nation.

During the very short period in which Lord Temple administered the affairs of Ireland (from the 15th of September, 1782, to the 3d of June, 1783,) his chief attention appears to have been directed to the establishment of a system of

economy throughout the different departments, in which the grossest abuses were practised with impunity.—In return for the spirit with which his lordship prosecuted this most necessary reformation, he experienced all that little malicious detraction which detected delinquency always circulates against the author of the discovery.—Lord Temple was necessarily opposed by a host of subordinate dependants upon the Castle, who were now smarting under the efficacy of that inquiry which he had industriously instituted into their well-connected system of abuses.—It is but justice to bear testimony to the indefatigable assiduity and industry with which his Lordship investigated the accounts and details of office ;—and it is the pleasing task of the Historian, to record the services which were rendered to Ireland, by Lord Temple's public and exemplary discouragement of those corrupt and infamous practices, which, at that period, disgraced almost every department under the Government.

That the people of Ireland, and particularly the citizens of Dublin, duly and fully appreciated the extent of the service which Lord Temple had *endeavoured* to render them ;—that his Lordship's administration was calculated, in a great degree, to promote the interests and happi-

ness of the community, is best demonstrated by the universal respect which followed him on his departure from Ireland.

The address, presented by the Corporation of Dublin, which at this period, contained within its body some of the most zealous supporters of Irish independence; is peculiarly remarkable, for the enthusiastic expressions of attachment and respect for his Lordship, and of sincere sorrow, that any change should then take place in the councils of his Majesty, which would, in its results, deprive them of a Chief Governor, who manifested such regard for the freedom and prosperity of Ireland.—They thus address his Lordship :

“Your Excellency’s early attention to the removal of all doubts, relative to the independency of the legislation, and jurisdiction of the Parliament of Ireland,—the general and economical reform introduced into several departments of the State, and the many great and apparent advantages we enjoy, and are likely to experience, from your Excellency’s wise, firm, and virtuous administration, must at all times excite and demand the highest expressions of gratitude; and make us earnestly solicitous for the continuance of your government over a people affectionate to your person, and truly

sensible of your honorable intentions?—  
 To this address Lord Temple returned an  
 answer, strongly expressive of the warmest  
 and sincerest wishes for the constitutional and  
 commercial freedom of Ireland.—The above  
 address bears date the 7th March, 1783; and  
 Lord Temple gave up the Government of Ireland  
 on the 2d of June following.—On the 14th of  
 October, 1783, the late much respected Mr.  
 Gardner moved a vote of thanks to Lord Temple;  
 and the terms with which he introduced this  
 motion, will give the reader a brief but correct  
 view of the public feeling for the Administration  
 of this Nobleman.

Mr. Gardner said that Lord Temple had  
 received addresses of thanks from every County  
 in that Kingdom, for his conduct as chief Gover-  
 nor;—each of his public measures carried with  
 it wisdom and integrity;—and in his private cha-  
 racter, he had concurred in every thing tending to  
 the interest of Ireland, and had laid down such  
 plans as would have been a national benefit,  
 had he continued in the Government of that  
 nation. Nothing but the sanction of the House  
 was necessary to render the thanks of the people  
 of that Country universal.—Three persons  
 only, of no great parliamentary consideration,  
 were found to oppose the vote of thanks, then  
 moved by Mr. Gardner.

Five years had elapsed, when Lord Temple (now Marquis of Buckingham) was a second time created Lord Lieutenant of Ireland.—Succeeding the Administration of the Duke of Rutland, which was opposed by all the talents and the patriotism of the country, the Marquis of Buckingham departed *but little* from the system pursued by a Nobleman, not more distinguished by the generosity and dignity of his nature, than by the unprecedented sorrow displayed by Irishmen, of all descriptions, after his decease.—Possessed of all that candour and ingenuousness and hospitable feeling, which characterize Ireland—in person, as well as disposition, eminently calculated to win the hearts and affections of the people, they followed his hearse with tears, though his administration was marked with the most *hostile* aggressions on the constitution and liberty of Ireland.—The celebrated commercial propositions, which artfully sapped the constitution of 1782, were more than once or twice attempted to be introduced, in various shapes, and under various disguises.—The Press was shackled, and pensions and places were multiplied to a degree which excited the fears and apprehensions of every friend to Ireland.—The Union, during this administration, was frequently threatened; and the system

of dividing, and distracting and corrupting the people, in order the more effectually and the more easily to promote the views of the English Cabinet, was acted upon by the Ministers of the Duke of Rutland, with an unvaried and an unshaken resolution.—The Marquis of Buckingham not only adhered to the plan and system of his predecessor, but proceeded to strengthen the arm of Administration, by every means of which he was possessed, and succeeded in making converts of some popular members, who had hitherto distinguished themselves, by their opposition to Government, and their support of their country.

The Administration of the Marquis of Buckingham, from the year 1788, is remarkable for an ostentatious display of a spirit of œconomy, which being made use of by his parliamentary friends, as the grounds of excessive panegyric, was calculated to conceal from the public eye the artful efforts which Ministers were making to overthrow the independence of the Irish Parliament, by a multiplication of placemen and pensioners, and a widely diffused circulation of corruption through all ranks of society.—It is true, the inhabitants of the Castle kitchen were sometimes curtailed in their accustomed allowance;—the pension of the poor revenue officer sometimes reduced;—and the

soldiers' comforts sometimes diminished ;—whilst Boards of Excise and Customs were multiplied, and the dependants of the Castle were found among the *old patriots of Ireland*.

The Marquis of Buckingham will be seen instituting rigid œconomy throughout the culinary department of his household—while he is controlling the proceedings, and wounding the pride of the Irish Parliament, by refusing to transmit their Address to the Prince of Wales, at one of the most important periods since Ireland obtained a free constitution.—Putting his construction of the oath of a Lord Lieutenant against the honest and independent exercise of the rights of the Legislature, and the acknowledged dictates of the laws of the land.

The Marquis of Buckingham complained of the profusion of former Administrations, though he will be seen not only thwarting the efforts of the patriots and opposing the Pension Bill—but actually granting pensions and reversions, to an immense amount, to the members of *his own family*;—resisting every measure of redress and of reform, and maintaining, with an invariable policy, that pernicious system of ascendancy and monopoly which has terminated in the corruption of Irish talent—the extinction



of Irish genius, and the debasement of Irish feeling.

A new scene opened, in the administration of the Marquis of Buckingham, when the liberty which Ireland acquired in 1782, had an opportunity of demonstrating to the empire the generosity of Ireland, and proving that an unlimited exercise of that independence, which was always viewed with jealousy and alarm by her enemies, was not incompatible with a sincere and firm attachment to *English connection*.

Though the calamity which then called forth so celebrated an exertion of Irish independence ; —though the affliction with which their Sovereign was visited in 1789, pressed heavily on the hearts of his Irish subjects, yet it will be admitted, that in that awful and momentous crisis, the Irish Parliament adopted a line of conduct worthy of the spirit which animated the Volunteers of Ireland, in their proudest and most glorious moments.—Their proceedings were marked with *loyalty* to their King, and ardent *affection* to their country.

In every stage of this interesting discussion, the Marquis of Buckingham left no means untried, nor no opportunity unseized, to thwart and baffle the honorable efforts of Mr. Grattan, Mr.

Essex, Mr. Connelly, and all those distinguished characters, who then gave dignity and celebrity to their country. The Reader, therefore, will not be surprized at the change of the public mind from 1788 to 1789, nor at the opposition which was given to the Vote of Thanks moved to the Marquis of Buckingham on the 6th of February, in the latter year.

On this day Lord Kilwarlin reported, from the Committee appointed to draw up an Address of Thanks to his Excellency the Lord Lieutenant, for his Speech to both Houses of Parliament, that they had drawn up the following; which he read in his place, and afterwards delivered in at the table.

To his Excellency GEORGE GREENVILLE NUGENT TEMPLE, Marquis of BUCKINGHAM, Lord Lieutenant General, and General Governor of Ireland :

The humble ADDRESS of the KNIGHTS, CITIZENS, and BURGESSES in Parliament assembled.

*“ May it please your Excellency,*

“ We, his Majesty’s most dutiful and loyal subjects, the Commons of Ireland, in Parliament assembled, beg leave to return your Excellency our most humble thanks for your excellent speech from the throne.”

“ We cannot adequately express the poignancy of our sorrow, in being informed by your Excellency, that his Majesty has been for some time afflicted with a severe malady, in consequence of which your Excellency has not received his royal commands upon the measures to be recommended to his Parliament.

"We return your Excellency our sincere thanks (however we must lament the necessity of such a circumstance) for ordering the communication of such documents as you have received respecting his Majesty's health, as well as for your intention of laying before us such further information as may assist our deliberations on that melancholy subject.

"Nor can we withhold our tribute of acknowledgment to your Excellency, for pointing our attention to the support of our public credit, and the maintenance of the civil and military establishments, as well as for your solicitude to prepare us for those subjects, by ordering the public accounts to be laid before us. On these great objects of general importance we shall endeavour to act with a becoming care of the national interests, and the honor of his Majesty's crown.

"We are duly impressed with a lively and grateful sense of the earnest wishes that your Excellency is pleased to express for the welfare and prosperity of Ireland, which you have been always anxious to promote; and we flatter ourselves that his Majesty's most faithful Commons will be found to merit the favourable opinion which your Excellency entertains of them, by manifesting, under the pressure of the present calamity, the most genuine and cordial loyalty and attachment to their beloved Monarch, and the most zealous regard for the united and common interests of both his kingdoms."

Mr. GRATTAN spoke against the Address, to the following effect:—

“Mr. SPEAKER,

“I wish that the Lord Lieutenant had not been introduced into this Address. The expenses of the Marquis of Buckingham were accompanied with the most extraordinary professions of economy and censures on the conduct of the Administration that immediately preceded him; he has exclaimed against the pensions of the Duke of Rutland, a man accessible undoubtedly to applications, but the most disinterested man on earth, and one whose noble nature demanded some, but received no indulgence from the rigid principles or professions of the Marquis of Buckingham. He exclaimed against his pensions, and he confirmed them! he resisted motions made to disallow some of them, and he finally agreed to a pension for Mr. Orde, the Secretary of the Duke of Rutland’s administration, whose extravagance was at once the object of his invective, and of his bounty; he resisted this pension, if report says true, and having shewn that it was against his conscience, he submitted. Mr. Orde can never forgive the

Marquis the charges made against the man who thought proper to reward; the public will never forgive the pension given to a man the Marquis thought proper to condemn. "The pension list," said he, "whose increase the Marquis condemned, he had an opportunity to restrain." A Bill, limiting the amount of Pensions, was proposed by an honourable friend of mine, and was resisted by the Marquis of Buckingham; his Secretary was the person to oppose that Bill, and to give a signal to the servants of the Crown to resist it. He assigned his reason, viz. because he thought his Excellency was entitled to the same confidence which had been reposed in other Viceroy's, that is, the confidence which the Marquis of Buckingham pathetically declared had been grossly abused.—The police was another theme of his Excellency's indignation; he exclaimed, or has been said to have exclaimed, against the expense of that establishment. A committee was appointed to examine into its utility, and after a long and minute investigation, discovered that the turbulence and corruption of the police-men, were at least equal to the extravagance of the establishment. With this two-fold knowledge of its prodigality and its licentiousness, he defended the police establishment, and resisted a measure to

repeat that bill; defending, in Parliament, every measure against which he was supposed to have expended his time in investigation.

The Park establishment was supposed also to have excited his indignation. A motion was made to disallow some of those charges, and resisted by all the strength of his government. He was on those subjects satisfied with a minute examination, a poor and passionate exclamation, and a miserable acquiescence. Some of these expenses must have stopped, because they were for furniture and improvement, and were not annual expense, but the principle remains; the country is open to the repetition of the charge, and the Marquis has only to take credit for the ceasing of charges, which must for a time have stopped of themselves, but which, by his influence and resistance in Parliament to motions, disallowing them, may be renewed; but he not only continued the evil he found, he introduced a number; on the expenses of his predecessor he introduced jobs of his own. He increased salaries in the departments, which he proposed, and was said to reform. He made, by that increase, certain places parliamentary objects, which before had not come into the sphere of what is called parliamentary corruption, and greatly increased the influence of the Crown at the time he affected

to reduce the expense of the nation. The disposition he made of some of these offices, was in favour of very worthy men. I won't say, that one of them is not yet undervalued, but I do say, that his office ought not to have been raised to his merits, for his merits are his own, and of course during life; but the increase is perpetual; and the increase of salary will never want a pretence if this argument is admitted. You will easily have that species of economy, which does at least as much mischief as good, checks peculation, and promotes undue influence. He did not confine himself to the increase of salaries; he projected, if I am says true, a number of new offices to be created for the accommodation of friends, at the public expense, by dividing and splitting offices, or boards, under that worst species of profusion, the mask of economy; laying the foundation of new salaries hereafter, and increasing undue influence for the present. But there is one of his projects he has actually carried into execution—the revival of an obsolete office, the second counsel to the commissioners; that office is the remnant of a wretched job, attempted eighteen years ago, and put down because impracticable and improper. The division of the boards of customs and excise for extending the undue influence of the Crown; that measure

was put down, but the second counsel, a wretched remnant, was suffered for a time; and when the then counsel, Mr. Maunsel, died, his place also was discontinued. It thus remained on the establishment an absolute unoccupied office, until it has now been revived by the Marquis of Buckingham; no doubt, it will be said, for the purpose of saving. The officer is to be a great saving to the public: he is to be fed like the first counsel in the revenue. You are to have two counsel, instead of one, to give opinions and to receive fees in all revenue proceedings; but this is to be a great saving. He is not at present to be consulted in the framing of the money bills: but this is a private transaction; and this is a saving on whose duration I fear you can but little depend.

“I have stated particular instances of the expensive genius of the Marquis of Buckingham in the management of the public money, and in the course of one year—the year in which even prodigal Lord Lieutenants impose on themselves a reserve. But these particular instances are principles, bad principles: the attempt to increase the number of offices, is an attempt to increase corruption—the man guilty of that attempt is not pure. The revival of an absolute useless office for a friend, is a bad principle; and if accom-



panied with extraordinary profession of public parsimony, is a detestable principle—hypocrisy added to extravagance ! My great objection to the Marquis of Buckingham is not merely that he has been a jobber, but a jobber in a mask :—my objection is not merely that his administration has been expensive, but that his expenses are accompanied with hypocrisy—it is the affectation of œconomy, attended with a great deal of good, comfortable, substantial jobbing for himself and his friends.

“This leads to another measure of the Marquis of Buckingham, which is the least ceremonious, and the most sordid and scandalous act of self interest, attended with the sacrifice of all public decorum ; I mean the disposal of the reversion of the place of the, Chief Remembrancer to his brother—one of the best, if not the very best office in the kingdom, given in reversion to an absentee, with a great patronage, and a compensation annexed. This most sordid and shameless act was committed exactly about the time when this kingdom was charged with great pensions for the bringing home, as it was termed, absentee employments. This bringing home absentee employments was a monstrous job ; the king.

dom paid the value of the employment, and perhaps more; she paid the value of the tax also. The pensioner so paid was then suffered to sell both to a resident, who was free from the tax; he was then permitted to substitute new and young lives in the place of his own, and then permitted to make a new account against the country, and to receive a further compensation, which he was suffered in the same manner to dispose of. In excuse for this sort of traffic we were told, that we are not buying places, but principles, the principle of confining the great employments of this country to residents; a principle invaluable, we were told, to her pride and her interest. While we were thus buying back principles, and while the Marquis of Buckingham was professing a disinterested regard for the prosperity of Ireland, in opposition to the principles and the professions, he disposes of the best reversion in Ireland to his own family; the only family in the world that cannot, with decency, receive it, as he is the only man in the world that cannot with decency dispose of it to them. After this, do not call Lord Buckingham disinterested; call him any thing else; give him any appellation you please of ability or activity, but do not call him a public reformer; do not

ridicule him, by calling him a disinterested man.

“Gentlemen have spoken about public inconstancy, and have dwelt on the rapid turn of the public mind, in despising now what a year ago it seemed to idolize; but let those gentlemen reflect a little. When a man in a high situation professes to be a reformer—when he exclaims against the profusion and memory of his predecessor;—when he teaches the people to deceive themselves;—enfolds himself to popularity—shakes hands with the populace—when such a man agrees to no one constitutional or œconomic bill—on the contrary, resists motions for disallowing extravagance—and bills tending to secure the country against future extravagance, and sets up his own temporary regulations, his own contingent savings—and casual fractions of œconomy, in the place of laws—such a man must speedily forfeit the opinion of the public; but when the same man shall, to the crime of omission, add that of commission; shall increase the expenses of which he complained on the principle which he affected to reprobate; multiply undue influence, and create or revive offices merely for private gratification; and finally, shall attach the best offices of the kingdom to his family, while he affects to

attach the love of the public to his person : To say such a man cannot be surprized at the loss of popularity; an event, the natural consequence, not of public inconstancy, but his own inconsistency; of his great professions and his contingent savings—overbalanced by his jobbing—a teasing and minute industry, ending in one great principle of œconomy, and tarnished by attempts to increase the influence of corruption, and by a sordid and indecorous sense of private interest. For these reasons, among other public ones, which I could give, I enter my protestation against the Marquis of Buckingham.”

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“ After two or three Members had delivered their sentiments, Mr. Grattan, again rose, and proposed the following Amendment to the Address :—

*“ The many and numerous blessings this country has received, during His Majesty’s reign, under the pressure of present calamity,*

and shall manifest the most genuine and cordial loyalty and attachment to our beloved Sovereign, and our most zealous regard for the united strength, and common interests of both Kingdoms."

This Amendment was agreed to.

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## REGENCY, 1789.

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THE debate which took place in this year, on the question of Regency, is, perhaps, one of the most interesting and important in the annals of the Irish Parliament.

No national proceedings ever so clearly and so unequivocally marked and distinguished the two countries, as those of the Parliaments of England and Ireland, at this very eventful period.

The great and distressing calamity with which our revered monarch was then visited, and which rendered him incapable of fulfilling the high

and important duties of his station, gave rise to the discussion of a question in the English and Irish Legislature, in which the talents and understanding of both were called forth, in a great and eminent degree.

In this discussion will be seen, the Minister, who contributed more than any of his predecessors to the increase of the influence of the Crown, disputing the rights of the Heir Apparent, and maintaining the wild and abstract theory of popular election, and popular control.

Mr. Pitt will be seen at the head of the House of Commons, dictating to the son of his afflicted Sovereign (whose incapacity to meet his Parliament was proved and acknowledged) the *terms and conditions* on which he was to assume the powers of Sovereignty, in opposition to the opinions of the first constitutional lawyers of England;—he will be seen contending with the ablest statesmen of England, that the Prince of Wales *had no right* (speaking of strict right) to assume the Government, more than any other individual subject of the country.

However erroneous or presuming that Minister might have been, who maintained a principle such as this;—however unquestionable, according to the plain and honest spirit of the constitution, the right of the Prince of Wales to the

free and unshackled exercise of the powers of Sovereignty ;—it flattered the pride of the English people, to behold their representatives bounding and circumscribing the authority of Royalty, while it gratified their feelings of affection and respect for their beloved and afflicted Monarch, who was thus secured in his possible restoration to power, when it should please Providence to restore him possession of his reason.

*On the other hand*, the Irish Parliament will be seen rejecting the example of England, as unconstitutional, and clinging to the son of their Sovereign, with all the warmth—generosity, and ingenuousness of the Irish character. The spirit of sincere, zealous, and grateful loyalty, blendid with the assertion of national rights ; and the power of the Throne vindicated and supported by the Irish nation against the usurpation of the Minister, and the dictation of a foreign Legislature.

It is not extraordinary that the sensibility of Ireland, on this occasion, was peculiarly excited, or that Gratitude in enthusiasm should have held up her shield over the son of an afflicted King, in whose reign, whatever of commerce—of constitution—or of justice, which Ireland enjoyed, was conceded ; and under whose parental government the majority of the people were rescued

from the persecution of a race, which the bigotry, malignity, and misfortunes of centuries had accumulated. The people of Ireland had often witnessed the prerogatives of their Sovereign interposing to soften down the asperities of national prejudice; they had frequently felt the cheering and reviving rays which issued from the royal diadem—warmed and animated by the benignity and mercy of the Throne; no wonder, when assailed by the Minister who was notoriously the enemy of Irish Freedom, that they should be seen throwing themselves between that minister and their Sovereign, and offering their lives and their fortunes in defence of the rights of his Son.

The Prince of Wales was considered, by the Irish Parliament, as the key-stone of the British Empire—the central point of imperial union—the natural Regent of independent Ireland—thus preserving the succession *uninterrupted*, and the liberties of Ireland *unimpaired*, and making the eldest son of their King the instrument by which their liberties were to be perpetuated,—Mr. Pitt and the Parliament of England conceived that they best preserved the rights of their Sovereign, and the rights of the people, by limiting and circumscribing the powers of the Regent—they thought that jealousy and caution



should be, ~~obscured~~ when vesting the Prince with the powers of Sovereignty;—they therefore proceeded by bill, to grant to the Prince of Wales such authorities and powers as they pleased to prescribe;—they preferred this line of proceeding to that of confiding in the acknowledged honor and constitutional character of their Prince; they preferred a proceeding which obliged them to have recourse to the action of the great seal to legalize their act—thus making the great seal, in the hands of commissioners, of equal authority with the great seal, in the hands of their Sovereign.—Ireland proceeded otherwise; she sincerely lamented the incapacity of her Sovereign, but embraced the honor and integrity of his son.—The address of the Lords and Commons of Ireland provided for the contingency of their Monarch's restoration, and the administration of Irish affairs went on without interruption or without injury; the course therefore pointed out and recommended by Mr. Grattan, was by address, which was opposed by all the talents and influence the Ministers could muster—in this discussion Lord Clare distinguished himself, both by his zeal and by his talents; and after a struggle, which at once developed the ability and the spirit of Ireland, the address to His Royal Highness the Prince

of which was carried by a great majority. The Commons having communicated with the Lords, the Address to the Prince was agreed to, and the Marquis of Buckingham having refused to transmit the same, commissioners from the Lords and Commons were immediately appointed to present it to His Royal Highness.†

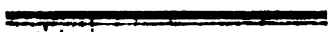
The answers that His Royal Highness gave to the deputation from the Lords and Commons of Ireland, are characterized by that superior tone of dignity, and peculiar elegance of expression, which so highly distinguish the mind and productions of this illustrious Personage;—perhaps in the empire no man can be found, the sensibility of whose nature would have been more susceptible of the great and generous and unsuspecting confidence of the Lords and Commons of Ireland.—Certain we are, that no man can be found in his Majesty's dominions, who would so fully, and so accurately, appreciate the offering of a free people, animated by sentiments of honor and allegiance to their Sovereign, as His Royal Highness the Prince of Wales.—

\* See Appendix for Address, and the two Answers of His Royal Highness the Prince of Wales.

† See Appendix for the Answer of the Marquis of Buckingham to the Irish Parliament.

This amiable Prince found refuge from the English Faction that surrounded the Throne, and tore the feather from the Royal plumes; in the generous and dignified pride of the Irish Nation—to him they looked as the legal and constitutional trustee of the powers of Royalty—a trustee who, mature in intellect—in years—in experience, should be vested with the full prerogatives of his Royal parent.—That in the hands of the Regent, mercy should not be limited—nor the power of conferring honors and dignities on those of his subjects who merited both, be narrowed and circumscribed.—That the gratitude of the Prince to his subjects is as sincere as the language in which he conveyed it is affecting and impressive, we have no doubt; we can never doubt of the sincerity of the Prince, who listened with attention and admiration to the counsels and opinions of Charles Fox.—And though we deplore, in common with our Countrymen, the great and calamitous visitation by which our old and revered Monarch is afflicted, we feel some consolation in the reflection, that his admirable Son will inherit the virtue of his Father, and communicate to Ireland the blessings of that Constitution, of which the Prince himself is the most zealous admirer.

In order, the more satisfactorily, to exhibit the force of the reasoning of Mr. Grattan, we shall give insertion to the best speech made on the opposite side, by Mr. Fitzgibbon, (Attorney-General) with Mr. Grattan's reply:—we shall also introduce, what we conceive a very able and convincing argument, at once profound and brilliant—pronounced at this period by Mr. Curran. Such a production should not be suffered to moulder in the newspapers which first published them, nor be mutilated by parliamentary compilers who have thought proper to record them.



On the 4th of February, 1789,  
 Mr. George Pensonby moved for the order of the day, "That the House do resolve itself into a Committee of the whole House, on the State of the Nation."  
 Mr. Fitzherbert, (Secretary to the Lord Lieutenant) said, he did not think the House perfectly prepared, on the present day, to come to any decision.—He expected to receive further

documents, by which, when the House should be perfectly informed of the manner of proceeding in England, they would be better able to form their determination, and to preserve entire the unity of the executive Government.

To this delay, Mr. GRATTAN, Mr. Ponsonby, and Mr. Connolly objected, as degrading to the Irish Parliament, and to the free constitution of their country.

The Clerk having read the examination of the Physicians, relative to the state of the King's health—

Mr. GRATTAN rose, and spoke to the following purport :

“ MR. SPEAKER,

“ The Right Honorable Secretary has stated the plan of the Castle, which it seems to include a bill.—He proposes to name, for the Regency of this realm, his Royal Highness the Prince of Wales ;—in this we are perfectly agreed ;—but I must in this add, that he only

follows the most decided wishes of the people of Ireland.—We are clear, we have been so from the first, that His Royal Highness the Prince of Wales ought, and must be the Regent;—but we are also clear, that he should be invested with the full regal power—plenitude of regal power.

“The limitations which the Member purposed to impose, are suggested with a view to preserve a servile imitation of the proceedings of another country—not in the choice of a Regent, which is a common concern, but in the particular provisions and limitations, which are not a common concern, and which ought to be, and must be, governed by the particular circumstances of the different countries. The bill, or instrument which he calls a bill, is suggested on an opinion that an Irish act of Parliament might pass without a King, in a situation to give the Royal assent, and without a Regent appointed by the Irish Houses of Parliament to supply his place. The idea of limitation, I conceive to be an attack on the necessary power of Government; the idea of his bill is an attack on the King of Ireland. We have heard the Castle dissenting;—we must, from their suggestion. It remains for us to take the business out of their hands, and confide the custody of this

great and important matter to men more constitutional and respectable. The Lords and Commons of Ireland; and not the Castle, should take the leading part in this great duty. The country gentlemen, who procured the Constitution, should nominate the Regent. I shall submit the proceedings we intend in the discharge of this great and necessary duty.

" We propose to begin by a resolution declaring the incapacity of the King, for the present, to discharge the personal functions of the regal power. It is a most melancholy truth, but a truth notwithstanding so fully proved and so generally admitted, that no man who does not proceed on the principle of affected stupidity, can entertain a doubt of it; the recovery of the Sovereign, however the object of every man's wishes, is that uncertain event on which no man will presume to despair or to decide. Having then by the first resolution ascertained the deficiency in the personal exercise of the regal power, the next step which I shall submit is, the supply of that deficiency: This melancholy duty falls on the two Houses of the Irish Parliament; whether you consider them as the only surviving estates capable of doing an act, or as the highest formed description of his Majesty's people of Ireland. The method whereby I propose

these great assemblies shall supply this deficiency in, by address. There are two ways of proceeding to these august bodies perfectly familiar; one is by way of legislation; the other by way of address. When they proceed by way of legislation, it is on the supposition of a third in a capacity to act; but address is a mode exclusively their own, and complete without the interference of a third estate; it is that known parliamentary method by which the two Houses exercise those powers to which they are jointly competent; therefore, I submit to you, that the mode by address, is the most proper for supplying the present deficiency; and though the address shall, on this occasion, have all the force and operation of law, yet still that force and operation arise from the necessity of the case, and are confined to it. We do not profess to legislate in the ordinary forms, as if legislation was your ordinary province; we propose to make an efficient third estate in order to legislate, not to legislate in order to create the third estate, the deficiency being the want of an efficient third estate. The creation of such an estate is the only act that deficiency makes indispensable; so limiting your act, you part with your present extraordinary power the moment you exercise it, and the very nature of



your act discharges and determines your extraordinary authority.

“ But as the addresses of Parliament, though competent, on the event of such a deficiency, to create an efficient third estate, yet do not, and cannot with propriety annex to their act the forms of law and the stamps of legislation, it is thought advisable, after the acceptance of the Regency, that there should be an act passed, reciting the deficiency in the personal exercise of the regal power. And of

“ His royal Highness's acceptance of the Regency of this realm, at the instance and desire of the two Houses of the Irish Parliament; and further, to declare and enact, that he is and shall be Regent thereof during the continuation of his Majesty's present indisposition.— The terms of the act are to describe the powers of the Regent; and the powers intended, is the personal exercise of the full regal authority; and the reason why plenitude of the regal power is intended by the address, and afterwards, by the bill, is to be found in the nature of the prerogative, which was given, not for the sake of the King, but of the people, for whose use Kings and Regents, and prerogatives, were conceived. We know of no political reason, why the prerogatives in question should be destroyed.

nor any personal reason why they should be suspended.

"I have stated the method to be pursued—indeed the method almost states itself; most undoubtedly, it is not the method pursued by Great Britain; but the diversity arises from obvious causes. The declaration of right is omitted in our proceedings; why? Because we know of no claim advanced against the privileges of the people. A declaration of right, in such a case, would be a declaration without a meaning—it would bespeak an attack which has not been made, and would be a defence against no invasion—it would be a false alarm, and hold out false signals of public danger, in times of perfect safety, confounding and perplexing the public mind; so that in the moment of real attack, the people would not be forthcoming. I object to a declaration of right in Ireland, therefore, as bad husbandry of popular artillery. I object to it also, as attempting to convey to posterity historic evidence against the constitutional principles of the second person in his Majesty's dominions, without any ground or pretence whatsoever. For these two reasons I have not adopted the declaration of right, conceiving it would in this country be no more than a protestation against a claim which has not been

made, and therefore would be a false alarm, and a false suggestion.

"Our method differs also from that pursued by Great Britain, inasmuch as we give the full exercise of the regal power; whereas the Parliament of Great Britain has imposed limitations; but I have assigned a general principle why limitations are omitted, and I may add, that whatever reasons may have been supposed to exist in England for those limitations, they are not so much as pretended here. I have therefore thought it unnecessary and improper to enfeeble a government which we profess to restore, as I thought it also improper to defend a constitution which we acknowledge to be invaded. As the substance of our proceedings is different, the mode is different also, and it is impossible, even though we wished it, that the mode should be the same. The mode proposed by the Castle differs from Great Britain more than that which I have submitted; that which I have submitted departs from the model of England, but does not commit you with England, nor cast the least reflection on the wisdom of her measures. We concur in the great object, the Regent; in the proceedings necessary to form the Regency, the deliberation of the two countries are governed by their respective circumstances. In the proceedings which I have submitted,

it is sufficient to affirm, that, all the great objects which can attract the care of a nation, are punctiliously attended to; and first, your constitution; in every stage of this business, you exercise the power of a free and an independent House of Parliament—the incapacity of the King to the personal exercise of the regal power, you discuss and decide—the deficiency thereby declared, you supply, and having supplied that deficiency, you proceed to legislate, and give your own work the clothing and stamp of law. As to your government, you restore it, and restore it to all its energies, that the concern of the people for the indisposition of their King, may not be aggravated by a tottering and impotent administration of public affairs. You also manifest attachment to the Royal Family, not only by renewing the Government in the person of the Heir Apparent, but by renewing it in a manner honourable both to Prince and People.

“In this great measure, I have not relied on my own judgment;—I have had recourse to history; I have looked for the highest land-mark in the British annals, and have found it in the period of the Revolution.

“The Address which will be moved, in part of its phraseology, is copied from an Address voted by the Convention Parliament to the Prince of Orange, desiring him to take upon himself the

conduct of public affairs. The idea of proceeding by Address, is taken also from those Addresses which deputed the Prince and Princess of Orange King and Queen of Ireland; and the idea of an Act is also taken from the same period. In the second session of the Convention Parliament, an Act passed, containing the substance of the Acts deposed last mentioned, and giving the whole the clothing and form of law.

“There are points in which the Revolution bears a near resemblance to the present, tried, as there are other points, in which it is not only different, but opposite. The Throne being full, and the political capacity of the King's existing, the power of the two Houses cannot be applied to that part of the monarchical condition; but the personal capacity of the King, or rather the personal exercise of the Royal power, being deficient and the laws of the land not having, in the ordinary course of law, made provision for that deficiency, and one of the estates being incapable, it remains with the two others to administer the remedy by their own authority; the principle of your interference is established by the Revolution; the operation of that principle limited by the contingency; the power of the Houses of Parliament in the one case extended to remedy a defect in the personal and political ca-

pacification of the Monarch; in the present case it extends only to remedy a defect in the personal capacity; but in both cases, it is the power of the Houses of Parliament called upon to interfere by their own authority, when the ordinary course of law has made no provision, and where the three estates cannot supply the defect. I have, therefore, had recourse to the precedent of the Revolution, in the mode of supplying the present deficiency.

Our Gentlemen have called this an important day—I will add to the expression—I will call it a proud day for Ireland;—she has deserved it, she has struggled hard for her independency, and she is now disposed to make a most judicious use of it;—it is not a cold, deliberate act, supplying a deficiency in the regal function;—it is not a judicious, but languid nomination of a substitute for the exercise of monarchical power;—this country annexes a passion to her proceeding, and kindles in love and affection to the House of Brunswick, and the effect of her exertions, and the great labour of years, in restoring her constitutional rights and privileges, she now gathers in a harvest which she shares with her Princes.

I shall therefore move the following Resolution:

Resolved, That it is the opinion of this Committee, that the personal exercise of the Royal Authority, is by his Majesty's indisposition, for the present interrupted."

The question being put on the Resolution, it passed without a division.

Mr. Connolly then rose in his place, and moved the following Resolution :

Resolved, That it is the opinion of this Committee, that an humble Address be presented to his Royal Highness the Prince of Wales, humbly to request his Royal Highness to take upon himself the Government of this Realm, during the continuation of his Majesty's present indisposition, and no longer, and under the style and title of Prince Regent of Ireland, in the name of his Majesty to exercise and administer, according to the laws and constitution of this kingdom, all regal powers, jurisdiction and prerogatives to the Crown and Government, thereof belonging."

This motion was seconded by Mr. George Ponsonby.

The Attorney-general (Mr. Fitzgibbon) afterwards Lord Clare) now rose, and desired the Clerk to read the act of the 4th of William and Mary, chap. 1. sect. 1.

The Clerk read as follows:

*That as much as this kingdom of Ireland is annexed and united to the Imperial Crown of England, and by the laws and statutes of this kingdom, is declared to be justly and rightfully depending upon, and belonging, and for ever united to the same; and the Kings and Queens of England are, by undoubted right, Kings and Queens of this Realm, and ought to enjoy the style, title, majesty, power, pre-eminence, jurisdiction, prerogatives and authority of Kings and Queens of the same; And whereas our Sovereign Liege, Lord and Lady, King William and Queen Mary, since their happy accession to the Crown of England, with great expensae of blood and treasure, and the extreme hazard of his Majesty's royal person, have delivered this their kingdom from the miseries and calamities of an intestine war, and most horrid rebellion raised up among us by the Irish Papists, and incited, abetted, and supported by the power of the French King, thereby securing us from the danger of Popery and arbitrary power, with which we were threatened in a most imminent manner, and have most happily reduced this their kingdom to a state of peace and order, and restored to us our laws and Liberties, and the free and impartial administration of justice: When the Lords Spiritual and Temporal, and Commons, in the pre-*



*sent Parliament assembled, in the name of all the People of this kingdom, do, from the bottom of our hearts, with all possible thankfulness, acknowledge the goodness of Almighty God, in raising up their Majesties to deliver and reign over us; of whose goodness, wisdom, and courage, we have already found such happy and blessed effects."*

Mr. FITZGIBBON then rose, and spoke as follows:—

"MR. SPEAKER,

"I now request Gentlemen to recollect, that we are not debating whether we are to lay restrictions on the Prince of Wales, or not; we are now to consider whether the Address moved for, is an instrument sufficient to convey to his Royal Highness the Regal authority; and whether it be such an Address as we ought to present.

"Before I proceed, I must observe, that I am perfectly convinced, what I shall say will have no manner of effect on Gentlemen who form the Government on the other side of the House; for, let them propose whatever Address they may take into their heads, it will certainly be voted; and therefore I would not have risen

to trouble the Committee at all, if I was not convinced, that the measures proposed are equally contrary to the common and statute law of this realm, and criminal in the extreme.

"I shall, in as few words as possible, state my opinion. And first, I maintain that the Crown of Ireland and the Crown of England are inseparably and indissolubly united. Secondly, I do maintain, that the Irish Parliament is perfectly and totally independent of the British Parliament.

"The first position is your security; the second is your freedom; and when Gentlemen talk any other language than this, they either tend to the separation of the Crowns, or the subjugation of your Parliament;—they invade either your security or your liberty. Further, the only security of your liberty is, your connection with Great Britain; and Gentlemen who risk breaking the connection, *must make up their minds to an Union.*—God forbid I should ever see that day; but if ever the day on which a separation shall be attempted, may come, I shall not hesitate to embrace an *Union*, rather than a separation.

"Under the Duke of Portland's government the grievances of Ireland were stated to be,

"The alarming usurpation of the British Parliament.

"A perpetual Mutiny Bill.

"And the powers assumed by the Privy Council.

"These grievances were redressed, and in redressing them you passed a law repealing part of Poyning's. By your new law, you enact, that all bills which pass the two Houses here, which shall be certified into England, and which shall be returned under the great seal of England, without any addition, diminution, or alteration whatsoever, shall pass into law, and no other. By this you make the great seal of England essentially and indispensably necessary on the passing of laws in Ireland; you can pass no act without first certifying it into England, and having it returned under the great seal of that kingdom, insomuch that were the King of England and Ireland to come here in person and to reside, he could not pass a bill without its being first certified to his Regent in England, who must return it under the seal of that kingdom before his Majesty could even in person assent to it. This bill was framed and introduced by a gentleman, certainly of as good intentions as any man in the kingdom. By this bill the

great seal of England is the organ by which the King of England speaks, and the great seal of Ireland is the organ by which the King of Ireland speaks; and it is nonsense to say, that it is as King of Ireland he affixes the great seal of England to Irish acts; as well might you say that it is as King of Ireland he affixes the great seal of England to treaties of peace, alliance, or commerce, which nevertheless include Ireland. I have stated, that His Majesty could not, were he here in person, pass an act without first having the great seal of England affixed thereto. Let me now for a moment suppose, that we, in the dignity of our independence, appoint a Regent for Ireland, being a different person from the Regent of England, a case not utterly impossible, if the gentlemen insist on our appointing the Prince of Wales before it shall be known whether he will accept the Regency of England; and suppose we should go farther, and desire him to give the royal assent to bills, he would say, "My good people of Ireland, you have by your own law made the great seal of England absolutely and essentially necessary to be affixed to each bill before it passes in Ireland; that seal is in the hands of the Chancellor of England; who is a very

sturdy fellow; that Chancellor is an officer under the Regent of England, I have no manner of authority over him, and so, my very good people of Ireland, you had better apply to the Regent of England; and request that he will order the Chancellor of England to affix the great seal of England to your bills; otherwise, my very good people of Ireland, I cannot pass them."

"We are told, in a very learned and elaborate speech, that the penalty of *praemunire* is annexed to the crime of both or either of the two Houses, attempting to legislate without the consent of the King; and the remedy proposed by the learned author of the speech, is to avoid the danger of the statute by appointing a King of our own. I shall give no answer to this, but I call upon any man to shew me, in the statute book, or any other book of authority, where the powers of a Regent are defined; or to shew me any two instances in which the powers committed to the *Onstodes Regni* were similar. Then if the House shall, by force of an address, upon the instant, and without any communication with England, invest a Regent with powers undefined, I do say, that when the moment of reflection comes, it will startle the boldest adventurers in England;

and give me leave, in this place, to remind gentlemen of the language they held with England in the day they asserted their freedom: "Perpetual connection—common fortune—we will rise or fall with England—we will share her liberty, and we will share her fate." We did then applaud the manly policy of England, but now we will not condescend to receive information from her; and therefore I say it will startle the boldest adventurer in England when this conduct of our's shall be related. Do gentlemen recollect the arguments used in England to justify the fourth proposition of the commercial treaty? "Ireland," said they, "having a Parliament of her own, may think fit to carry on a commerce, and regulate her trade, by laws different from, perhaps contradictory to, the laws of Great Britain." How well founded this observation was, we shall prove, if we seize the first opportunity that may hereafter offer of our differing with Great Britain in one great imperial question; certainly, if it be the scheme to differ in all imperial questions, and if this be abetted by men of great authority, they mean to drive us to an union; and the method they take is certainly more effectual to sweep away opposition, than if all the sluices of corruption were opened together, and deluged the

country's representatives ; for it is certain nothing less than the alternative of separation could ever force an union.

“ Several allusions have been made in this debate to the public conduct of parties in England. I am free to say that I should think it an act of presumption in any man out of this House to animadvert upon our proceedings ; and therefore I cannot but say that, in my mind, it is highly indecent in any member of this assembly to speak with disrespect of any proceeding which has passed in Great Britain ; upon that subject, therefore I shall be silent.

“ The revolution has been quoted as a precedent for us to follow. It is said that at the revolution the convention proceeded by address ; no doubt they did ; but, prior to their address, there was a negotiation of some length between the convention and the Prince of Orange ; propositions were made to him with respect to the extent of power to be committed to him, or whether the royal powers were to be committed to him only in right of the Princess of Orange. The Prince cut this negotiation very short, by declaring, that if he was not to be King of England, with all the powers of royalty, he would immediately retire to Holland, and leave them to their good old King James. These were the circum-

stances in England. But what happened here, where King James had holden a Parliament, and exercised all the prerogatives royal? The Parliament here, conscious of the danger they had just escaped, conscious that, by the act of Hen. VIII. the King of England was, from the moment he was invested with the Crown of England, King of Ireland, and the existence of this country depended on the preservation of the union which we are now about to dissolve, and to prevent the possibility of misconstruction of the act of Hen. VIII. passed the act which has just been read by the clerk, reciting, declaring, and enacting, the inseparable connection of the crown of this realm with, and its dependence upon, the crown of England; and that no trace might remain of the acts of a King of Ireland, who had claimed to exercise royal powers, separately and distinctly from the crown of England, declaring all laws which had been made in this country, from the abdication of James II. to be null and void; and this directs, that the records of these laws should be brought up to the Castle of Dublin to be cancelled, and annexes very heavy penalties to disobedience of this order. Does it then appear that our ancestors thought that William and Mary had no right to the



Irish crown from the crown of England? Does it appear that it was then considered, that Ireland was at liberty to act under a King of her choice; or that the authority of King William did not extend to this country till it was recognized by the Irish Parliament; No. The first act of the Parliament of Ireland was to recognize the authority of the King of England; and to declare, that from the moment the crown of England was placed upon his head, he was lawful and rightful heir of this realm.

The Peers created by James in Ireland, after his abdication of the crown, never have been acknowledged as Peers of the realm; this shews, that by the fundamental principles of our laws and constitution, the people of Ireland are prohibited from taking a lead in any instance where the executive Government of the Empire is to be provided for.—Suppose you choose a Regent in the manner suggested, and that by any fatality a different Regent should be appointed for Great Britain, and your Regent chooses to come over here, and execute his Government in person—the moment a Regent is appointed for Great Britain, he may send a commission, under the great seal of England, appointing a Lord Lieutenant of Ireland, and to that commission your Regent is bound to pay obedience; if he refuses, he stakes

his objection to the experiment. Thus, every step you take in appointing the Prince of Wales Regent to this country, till you shall be ascertained that he is actually Regent of England, leads but to further difficulty, error and perplexity.

“ Sir, I will not yield to any man in personal respect and attachment to the Prince of Wales. No man can think of him more highly than I do; but I will manifest my respect and attachment to the Prince of Wales, by endeavouring to preserve entire the imperial crown, which in the course of nature will descend to him, and which we are now, by an act of criminal rashness, about to deprive of its best appendage. I will not insult the Prince of Wales by an address, which cannot confer on him the shadow of royal power; I wish to invest him with substantial royal powers, which he may execute consistently with the laws by which he is to govern. Will any man say, that we are now in full Parliament? Is not his Majesty, George the Third, to whom we have all sworn allegiance, living? AND I HOPE GOD IN HIS MERCY WILL SOON RESTORE HIM—[*Here there was an universal acclamation in the House*—Is not his Lord Lieutenant here, in full authority? What have we then to do? As soon as we shall be certified that the

Prince of Wales is invested with the authority of Regent in England, pass an act to invest him with that authority in Ireland. Send this act to the Prince Regent in England; he will then have the command of the great seal of England, and return our act authenticated according to law. His Lord Lieutenant may then, by his command, give the royal assent to it; and who shall say that it is not a law of the land? But suppose, as I said before, that the Prince does not accept the Regency in England; and certainly we have no evidence that he will—suppose your address should reach him before he is actually invested with royal powers in England, in what situation do you put him? You call on him, in defiance of two acts of Parliament, which make the Crowns inseparable to dethrone the King his father. You call upon him to do an act now at which hereafter his nature will revolt.

“Sir, I have said, and I must repeat it, no man can have an higher opinion of the virtues and great endowments of his Royal Highness than I have; I doubt not they will be the brightest ornaments of the British crown, whenever he shall wear it; but they are false friends of the Prince of Wales who shall advise him to receive an address, that may give him cause

to curse the hand which presented it. I know, Sir, that liberties, indecent in the extreme, have been taken with the name of that august personage—I know it has been whispered that every man who shall vote against this address, will be considered as voting against him, and treating him with disrespect; but if any man has had the guilt and folly to poison the mind with such an insinuation, I will trust to his good sense to distinguish his friends; I will trust to his good sense to determine whether they are his friends who wish to guard the imperial rights of the British Crown, or they who would stake them upon the momentary and important triumph of an English party. What matters it to the Prince whether he receives royal authority by a bill or by address? Is there a man who will presume to libel him, and to assert that the success of this measure will be a triumph to him? Gracious God! does any man, who calls himself a friend to the Prince of Wales, presume to say, that any address which he can present to him will be a subject of triumph to him? In his exalted station he will triumph only in governing a great nation, with honor to himself and with advantage to his people. If you wish to pay a compliment to the Prince of Wales, guard the imperial rights of the British crown. He can have no triumph

but that of governing a great and happy people; if you would give him a triumph; guard their rights, and guard the rights of the crown.

“ There is a feature in this proceeding which, independent of every other objection to it, does, in my mind, make it highly reprehensible; and that is; that I consider it as a formal appeal from the Parliament of England to that of Ireland. Respecting the parties who make this appeal I shall say nothing: But although there may be much dignity on our part in receiving this appeal, I cannot see any strong symptoms of wisdom in it; because, by so doing, I should conceive we must inevitably sow the seeds of jealousy and disunion between the Parliaments of the two countries; and though I do not by any means desire of the Parliament of this country implicitly to follow the Parliament of England, I should suppose it rather a wise maxim for this country always to concur with the Parliament of Great Britain, unless for very strong reasons, indeed, we are obliged to differ from it. If it is to be a point of Irish dignity to differ with the Parliament of England, to shew our independence, I very much fear that sober men in this country who have estates to lose, will soon become sick of independence. The fact is, that constituted as it is, the Government of this country never will go

on, unless we follow Great Britain implicitly in all regulations of imperial policy. The independence of your Parliament is your freedom; your dependence on the Crown of England is your security for that freedom; and gentlemen who profess themselves, this night, advocates for the independence of the Irish crown, are advocates for its separation from England.

“ Let us agree with England in three points:—one King, one law—one religion. Let us keep these great objects steadily in view, and we act like wise men; and if you make the Prince of Wales your Regent, and grant him the plenitude of power, in God’s name, let it be done by bill; otherwise I see such danger, that I deprecate the measure proposed. I call upon the country gentlemen of Ireland; this is not a time to think of every twopenny grievance, every paltry disappointment sustained at the Castle of Dublin: if any man has been aggrieved by the Viceroy, and chooses to compose a philippic on the occasion, let him give it on the debate of a turnpike bill, where it will not be so disgraceful to the man who utters it, and to those who will not listen to him, as it will be on the present occasion. Sir, I abominate the idea of restraining the Prince Regent in the power of making Peers in this country, or in limiting him in the power

of making grants, on the narrow principle of suspicion and distrust. This is a question which rests upon very different ground in this country from that on which it has been taken up in England; and if gentlemen can reconcile to themselves a precedent for adopting in this country, a different form of executive Government from that established in England, I have not the smallest apprehension, that the powers which may be committed to the Prince of Wales by the Parliament of Ireland will be abused by him."

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MR. CURRAN rose soon after the Attorney-general had concluded, and thus addressed the Chair:

"SIR,

"MUCH irrelevant matter has forced itself into this debate on a subject the most simple and obvious that ever came before the House. The fact of incapacity is ascertained—the two Houses must provide for

the deficiency ;—the principles of the British constitution in either kingdom, simply is that the third estate should be *certain* and not *elective*—the right of election is the right of ambition, of faction, of intrigue, of shedding civil blood ;—but this is a question to be considered on another principle also—the compact that united the crowns of England and Ireland—the compact is, that the executive power of the two kingdoms shall be ever the same. If either country has a wild arbitrary right of Election, both have the same ; and if so, the absurdity follows, that they are bound to have the same third estate, and yet have a right of choosing different third estates ; this surely is gross *constitutional nonsense* ; to avoid this absurdity, we should seek for some striking circumstances that point out to both nations the common Regent ; they are evidently the *full age* and the *capacity* of the heir apparent ; this could here be no other. England agreed in the unanswerable necessity of choosing the Prince : Ireland was unanimous in the same choice. They both confessed it was clearly right to do so ; it followed of course it would be clearly *wrong to do otherwise*.—It followed at least that the two countries thought it their indispensable duty to make that choice ; and he knew no other quality of a right,



than a claim that could not be overruled by the tribunal competent to decide upon it. All disputations on that point so confessed, could be only the refinement of verbal sophistry, or the pretext of faction. The person then was evidently designated. The next question is, what trust is to be delegated to him? I think the entire power of the third estate. I disclaim the idea of doing this on any principle but a constitutional one. I think of His Royal Highness, as the House seemed to think, with all confidence in his virtue; but I act not from any motive of confidence in his virtue; I respect personage: but I am the representative of the people; and *caution* not confidence, shall be the principle of my conduct.—But here I do not think I have a legal right of yielding to diffidence, even if I found any reason to diffuse. The Constitution debars me from any exercise of any fancied prudence.—The law of the Constitution says, that no estate of Parliament can be abridged without its own consent.—Here it cannot consent; it cannot be abridged but by act of Parliament. We can make no act of Parliament—for to that the three estates are necessary. We are but two; to abridge the third estate now, would be to steal the sceptre, when the hand from which it had fallen, could

not protect it—it would be to become judges in our own cause, when our opponent could not speak for himself.

“I see very clearly that this kingdom has much to reform, but this is not the time. I would arm the third estate with its constitutional shield, and then attack it with constitutional weapons; to do any thing else, would be to obtain a victory by robbery, not by virtue; to redress the people by theft and plunder, not by law.—I will support their rights—I think they have great claims for redress of many crying grievances, but I will not redress them by betraying the constitution, by thieving from the third estate, and by provoking it to reprisals perhaps beyond the measure of what it had lost.—This might be called rash, and was called criminal by a right honorable member [*the Attorney-general*]; but I confide more in that learned member, as a prophet, than a lawyer; for that honorable member promised that he despaired of finding the House concur in his opinion. The only point that remains is how these full powers should be delegated, by address or by act. The latter is impossible: we are but two estates, we cannot legislate, we may deliberate; we may declare the incapacity of the King, the right of the Prince; but we can do it only by

address. I have heard strange doctrines, from a right honorable member, [the Attorney-general]—Did that gentleman think two estates could legislate? He had said, that affixing the great seal of England made an Irish law; that an act coming to our Lords so authenticated, was, *ipso facto*, law. Did the honorable member think a third estate supplied by a creature of the two Houses, by a forgery on the constitution, by a phantom that had no interest to guard, no will to consult, no power to rescue? *It was taking seals for crowns, and hankles for sceptres*; it was worshiping wafers and wax in the place of a king; it was substituting the mechanical quibble of a practizing lawyer for the sound deduction of a philosopher, standing on the vantage ground of science; it was more like the language of an attorney *particular* than an Attorney general; it was that kind of silly fatuity that, on any other subject, I would leave to be answered by silence and contempt; but when *blasphemy* was uttered against the constitution, it could not pass under its insignificance, because the essence should be comprehended, though the doctrine could not make a proselyte.—The right honorable member had said, that we were competent to make an act; if so, a Regent was unnecessary. With respect to

us, our third estate did not make alliances, or peace, or war; it only legislated; if we could without it legislate, we wanted no Regent. The learned member said, the Regent of England might put the seal, and so give the royal assent. If so, he might refuse it—if so, he might refuse us a Regent. But who was the Regent of England?—One elected. If so, England's two Houses had a right to elect a third estate for Ireland. But the right honorable member had said that England gave up all pretensions to legislate for us. What followed then from both his arguments? that neither England nor Ireland could refucitate our constitution.

“Read the acts of Henry VIII. of William and Mary, and the modern act brought in by Mr. Pelverton;—there you will find, that the Crown of Ireland is annexed to, *not merged* in the Crown of England. That no law could be law here, by virtue of the seal of England, but by virtue only of the Royal Assent, *by a real third estate*, given in full Parliament; and that the King of England, *as such*, affixed the seal of England; but that he gave the Royal Assent, *as King of Ireland*.—Are any more arguments wanting to shew you that we should not attempt an act of legislation?—First, it is impossible;—any action of a third estate is a con-

without forgery, and I will never consent to it. The frame of the State is composed of two great segments of arches, and the Crown is the key-stone:—if that key-stone, by any fatality, fell out, what was to be done?—Shall the separated parts be brought to meet, so as to supply its place?—If you do that, every joint must be severed, every point of support must be changed, in so desperate an experiment; and if, in that convulsion, it falls not into ruin, the key-stone can never be restored.

—In other words, I like not the affectation of legislating by two estates; it is holding out an idea to the people, that you can do altogether *without the third*;—it is making a silly experiment, by which the third estate, the only security of our liberty, is brought into disrepute, possibly into disuse, and by which our glorious constitution may be lost for ever.

“But the learned Member has protested against giving up the question of restrictions on the Regent.—I admit, that the two Houses being incompetent to legislate, could not restrict, by Address; if they had a mind to adopt the constitutional improbity of mutilating the regal power, it must be by the semblance of an act; and therefore, such a sacrilege upon the constitution, could be achieved only by a profanation of its forms.

“In this House I do not think it necessary to go into such detail of restriction;—No man here espouses his doctrine.—He was a solitary and unprevailing preacher; but absurdities might go abroad, and might be thought unanswerable, merely because they had not been thought worthy reprehension; and particularly when other persons, that ought to have weight with the public, had not zeal enough for the cause, against which these calumnies were levelled, to disavow them, but thought they acted more wisely by giving them the authority of a silent implied approbation.—‘But,’ (said the Attorney-general) ‘you will separate the countries;—you attempt an act of legislation.’—I disdain the advantage of an Union that could be preserved only by our servility. *Our Union* was of common, of equal interest; and was to be supported by mutual justice and good faith.

“The argument of the right honorable Member, that a Regent of England could supersede the Regent of Ireland, was an outrage upon our independence, and must excite the contempt of every Irishman.

“So far am I from thinking the two Houses competent to make any act previous to the Regency, it is my opinion they ought to make no act on the subject, even when the Regent is in pos-

session of his functions.—A right hon. Member, for whom I have the highest respect, [Mr. Grat-tan] seemed to compare the present case to the Revolution; but the cases were different;—*there* the Throne was vacant, but *here* not;—*there* a restricted power was to be given to the Prince—*here* an unlimited one;—*there* the person to receive the Regal powers was purely elected; *here* he is received from the authority of an irresistible constitutional designation; *there* it was a compact made by negotiation with the people;—*here* it is a trust pointed out by the constitution.

“But the right honorable Member thinks the law necessary, to ascertain the period of the power to the continuance of the incapacity—First, he must be completely Regent, before he can assent to such a bill:—and if so, he may refuse that assent. Are we then, without any security in case of His Majesty’s recovery? Certainly not. The constitutional necessity that creates the Regent, limits his continuance. If the King be restored, his right to the Regal power revives with his capacity; and the exercise of it by any other individual, would be *usurpation and treason*.—The case is provided for by an higher authority, the law of Edward III.

“We would not be wise in seeking to give authority to the first principle of the constitu-

tion; and to the statutes that secured the Crown, by a compact with the Regent, which ultimately he might refuse to ratify, and justly refuse, when he was in possession of a power to which it was incident to assent or dissent at his discretion.—As for my part, I think it that kind of apprehension which it is scarcely decorous to anticipate. No man could suppose even the possibility of such a danger, considering the part which that illustrious personage had already acted; but if it was at all to be looked at, the laws already in force had abundantly provided for it.—No new law could add to that provision.—I therefore hope the House will not adopt a measure that can have no possible operation.—But as to a subsequent law, I have suggested these remarks merely for the consideration of gentlemen.—As to the present, I am decided. The House seems decided, with a very few exceptions, that an act is impossible and absurd, and that the Address proposed, is the only expedient that can be adopted.”



MR. GRATTAN rose late in the debate, and thus spoke :

“MR. SPEAKER,

“I SHALL endeavour to recall the minds of gentlemen to the present posture of the debate ;—we have gained ground in the argument, the limitations are not defended—they are not, it is true, given up ; they are alleged to be intended, and acknowledged to be indefensible ; proposed, scouted, and adhered to—and in the contempt into which this part of the plan of the Castle has fallen, the vile insinuations of intended prodigality, and perverted bounty—(insinuations maliciously whispered against a great personage)—have also fallen, and remain in the contempt they deserve. So far the plan stands condemned in the opinion of its principal supporters. But gentlemen who cannot defend their own measures, impeach ours, and they recur to that vile commonplace, and antiquated cant, ever resorted to by men concerned in unconstitutional attempts—“the connection is in danger by our proceeding.” How? prove it—by resorting to the line of succession? His Royal Highness, the heir apparent,

with irresistible claims to the Regency, the choice of Great Britain, and a middle term between the two nations? No; folly, presumption, do not attempt to call that nomination a step to separate from England. Is it then by appointing him with full regal authority? No; the railers on the subject of connection now affect an indifference on the subject of limitation: is it by appointing him at this time? Idle and trifling; what, so many months after the royal indisposition—after the business had terminated in Great Britain, in the choice at least of the same person. No; but then gentlemen, it is done by address—it is the mode against which they direct their indignation: and arguments, which were intended to be applied in favour of limitations, are now, and with equal folly, applied against proceeding by address;—but the refutation of every objection to the address proposed, is to be found in the monstrous scheme which the enemies of this address have conceived, and would endeavour to impose on the country.—

“ A bill passed without a third estate, without an Irish Regent, and without any authority from the Irish Parliament, to give the royal assent; but the arguments advanced in the support of this plan, are worse by far than the plan itself. We have been told that the Regent named by the Par-

liament of Great Britain, before he is adopted by Ireland, is competent to give the royal assent to an Irish bill—we have been told that a British Regent is competent to supersede a Regent appointed by Ireland—we have been told that the British Convention may make a law for Ireland—they may, we are told, make a Regent, and that Regent may supersede one who has been made by Ireland; that is, he may set aside the act of our country, by virtue of an authority derived from the British Parliament; thus far the right honorable member, by the juggle of a crown-lawyer, restored the supremacy of the British Parliament over this kingdom—he has done this by playing tricks with signs and seals, and confounding the stamp of authority with authority itself; he has proceeded in criminal error to such a rash and desperate excess, as to attack the ascertained privileges of our Parliament, and the dearest rights of his country—he has endeavoured, by his argument, to take away from this country the power of choosing a Regent, and has sought to cast an air of silly ridicule, and trifling scorn, on her appointment; and has also endeavoured, with equal error and temerity, to give to another the power of imposing a Regent upon you, and by its own authority—and he thinks he has succeeded to prove his desperate

conclusions, when he shews, or fancies he shews, that the undoubted rights of this country may be destroyed; and all the pedantry of legal form punctiliously adhered to;—these forms of office he sets up against the substance of the privilege of the people, and in the place of the real official authority; and because the individual may not aver against certain marks and tokens, he thinks the Parliament of this country, like a subject, equally bound and concluded, not enabled, he supposes, to enquire how such marks have been affixed to public acts; and what is the condition of the authority they are supposed to represent? With equal zeal, and equal error to the abuse of legal knowledge, and in defiance of the laws of the land, have we been told that his Majesty legislates in Ireland as King of Great Britain. The argument we have heard to-night, in its first step, has introduced over this realm the authority of the British Parliament or Convention, and in its next desperate effort, has taken away from this realm the authority of the King of Ireland;—the statute laws of this country pass, according to this argument, without the consent of the King of Ireland. The King of Ireland is not a part of the Irish legislature; we are gravely, confidently told, in a strain of legal perplexity, quibble and mistake. The laws of your country

tell us, that the crown of Ireland is an imperial crown—the claim of right which you preferred affirms, that the King, Lords and Commons of Ireland are the only body competent to make laws : have we said this ; and pledged our lives and fortunes to this, that we should now, with the member, say, that the King, Lords and Commons are not competent to make laws ? that the King of Ireland is no part of the legislature ? that it is the King of Great Britain, or rather, the great seal of England, and the Lords and Commons of Ireland, who are the competent legislature ? If this argument be true, Ireland has no King, or her King has no legislative authority ; if this argument be true, the royal assent given in Parliament, is an idle ceremony, and the bill binds the subject, even though that assent should be withheld.

“ Such is the monster that has been composed in place of the old constitution, by the force of rash assertions, and legal juggle, assuming the name of law argument. According to this doctrine, the great seal of Great Britain is not an instrument to authenticate the Irish bill, but does import, and operates as the royal assent in Ireland ; and though the King is declared by Parliament to be incapable of giving the royal assent, and though this country has named no Regent or

substitute, yet still is by Parliament concluded by the royal assent, or what he calls the royal assent, the great seal of England. This is the substance of his doctrine.

“ The member hesitates a little at the enormity of his own conclusions, and not venturing at last as he did at first, to affirm that a bill bound the subjects of Ireland, provided the great seal of Great Britain was annexed, even though it did not receive the royal assent in Parliament, he changes his terms a little, and says, that the great seal of Great Britain is the organ of the royal assent in Ireland; and from this he wishes you to conclude, what he ought not to advance, that the royal assent so conveyed, must be the royal assent of the king of Great Britain—that is, that the king of Ireland gives no assent at all, and is no part of our legislature. The offensive conclusions drawn from his arguments, make the sophistry on which these arguments are found less an object of attention.

“ He tells you, that an act, in 1782, vests the royal assent in the British Crown. He resorts to the act, and finds it is assertion, not the act, which vests the royal assent in the British Crown. The act says, that such bills as return to Ireland, under the great seal of England, unaltered, and none other, shall pass; that is, not that they have

actually passed by coming to Ireland, under the great seal, but that such, and such only, are in a capacity to pass; the act makes different provisions, all which must take place before our bills can pass into a law; they must return to this country; they must return without alteration, and they must return under the great seal of Great Britain as usual; and then, says the right honorable gentleman, they are the law; but I tell him they are not the law; they are then qualified to receive the royal assent, without which they cannot be law; that royal assent is the assent of the King of Ireland."

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The ATTORNEY-GENERAL again rose

"SIR,

"I beg leave to remind the right honorable gentleman, that these very objections were stated to him at the time he made the act, and if the great seal of England is by the act rendered indispensably necessary to the passing of Irish

laws, it was he and not I that made it so. He was one of the framers of this law. The objections which he has been pleased to make to my argument, were made to his bill, by Mr. Flood before it passed into a law. The objections appeared on your journal; and therefore, in arguing upon this law, I must look into the statute book, and not enquire of the right honorable gentleman what were his intentions in framing it.

“I find in the statute book that the great seal of England must be affixed to Irish acts, before the King’s lieutenant can give the royal assent to them here; and if this deserves all the emphatic displeasure which the right honorable gentleman has been pleased to bestow upon it, let him look into the statute book there; there he will find his own wisdom; and in a court of law, or even the House of Commons, I should be laughed at if I were to argue not from the law as I find it in the statute book, but from the right honorable gentleman’s meaning when he framed it. I never said the great seal of England made the law, but the great seal of England is the Lord Lieutenant’s warrant and authority for passing the law, and without which your act declares no law shall pass.



"Sir, my words and statements are misquoted; I never said that the crown of Ireland was merged and extinguished in that of England; No, I say that the crown of Ireland is an imperial crown in itself, and where, by our own law, the great seal of England is not made necessary. The King acts as King of Ireland, and speaks by his great seal of Ireland. If the right honorable gentleman's act had run thus: That no bill should pass, unless it was returned under the great seal of England, and that a commission should pass under the great seal of Ireland for giving the royal assent, then the law would have been what he now stated it ought to be; but if there is a defect in the law, on his head be it. He might have had the great seal of England, as a proof that the bill had passed under the consideration of His Majesty in council, and he might have the great seal of Ireland as an authority for passing the bill into a law."

"And now, if the right honorable gentleman is founded in his objections to the manner of passing bills under his own law, I hope it will be a lesson to him not to precipitate great and important measures. When that act was before this House, a gentleman, who for twenty years had made the law of Poyning's his peculiar study, [Mr. Flood] made the following objections

to this, not which the right honorable gentleman makes, to my construction of it, and they were accepted by the right honorable gentleman:—

“We are, however, obliged, whilst we pay every acknowledgment to your Grace for the part you have taken in these measures, to lament, as to the modification of the law of Poynning’s, that it has been so constructed as to leave it doubtful, whether by contravening the law of Poynning’s, it is not incapable of becoming the law of the land, and whether it is not *ipso facto* null and void. That it hath implicitly confirmed all the pernicious principles of the ancient constitution, without removing many of their effects. That it hath no provision to take away from the privy council of Ireland the unconstitutional power of originating bills, nor restore to Parliament the capacity of originating bills. That, contrary to the express tenor of our address of the 18th of April last, it hath left to the British council the power of stopping bills. That it hath taken from the Crown the power of doing that, which, by the law of Poynning itself, the King could have done, namely, of giving the royal dissent, as he doth the royal assent, in the only method known to the constitution, viz. openly and fully in Parliament; and thereby hath deserted the first principle of the

nation, to wit, a similar constitution with England; and a similar fate; and that, by a confused medley of old and new law, it leaves a doubt whether, in just, legal construction, any clear and unexceptionable method will remain, for carrying on the work of legislation in the Parliament of this kingdom. With respect to the 6th of George I. we must lament that, though in hope that to quiet the people, this House, without having read or seen the act of repeal, have declared that the British Parliament has fully, finally and irrevocably, acknowledged our sole and exclusive right to make laws for Ireland in all cases, external as well as internal; yet we have much ground to doubt this hath not been sufficiently done, and to believe that the people of Ireland are growing more of that opinion."

"And, therefore, Sir, I am not to argue upon the law as it should have been, in the right honorable gentleman's opinion, but as the right honorable gentleman made it. If he made it erroneously, the error is his, not mine."

To this Mr. GRATTAN replied as follows?

“ Sir, ”

“ The right honorable gentleman has charged on me the formation of that bill he alludes to. He should know it was not my bill; it was drawn by the most constitutional lawyer that ever was Attorney-general. The idea of the bill was to prevent the suppression of our bills in the Irish privy council, and their alteration in the English or Irish; and it was intended to reject that part of Poyning's law which required the great seal of England to be annexed. We did not, as the member would suggest, introduce that ceremony; we found it. The law not being sufficient to warrant the member's doctrine, he resorts to fortify his misconstruction to an amendment, as giving the true interpretation, which amendment he reads from journals, and which appears to have been rejected; and for which he acknowledges he did not vote; and this is the way he supplies construction and explanation for the statutes of his country. If the bill he alludes to is defective, he is more guilty than I am; for he was then in Parliament, an acute lawyer, whose business it was to examine

the phraseology of your bill: Does he now tell us, that very bill, against which he never murmured, and for which he voted, has done the mischief, and that it is not his perverse and desperate explanation but the acts which he supported, that have destroyed the Irish monarchy? He impeaches an act for which he voted by an amendment which he opposed, and which amendment, when examined, does not answer his purpose; for the amendment does not attempt to allege, that the royal assent of the King of Ireland is not given, and given only in Parliament, but that the bill does not return to receive the royal dissent likewise in Parliament. No man said then, nor did the amendment attempt to insinuate, that the royal assent was supplied by the great seal of England, nor did any man object to the act of 1782, or law of Poyning's because requiring the authentication of the great seal of England. Why did they not object? because they knew perfectly well that the great seal was only an instrument of connection, and was not what the member states, a substitute for the royal assent. The right honorable gentleman resorts to another act; that of recognition, which proves what no body denies, the annexation of the crown, and which proves and ascertains also, what he has attempted to

deny, the existence, properties, and prerogatives of the imperial crown of England. The act of Henry VIII. commonly called the Act of Annexation, proves and ascertains what the member's arguments would deny—the existence, properties, and prerogatives of the Irish crown. The object of that act is expressed to be a principle combating directly the principle of his argument; for the act sets forth the reason of its being made—in order to raise in the minds of the people of Ireland, the authority of the lord thereof, the lordship is created into an imperial crown annexed, but not merged into that of England, with all the dignities, properties, and prerogatives of an imperial crown, so that the idea of creating and preserving all the regal properties of the King of Ireland, *ran pari passu* with the idea of annexation.

“The right honorable member having failed to give legal reasons, proceeds to give political ones for his opinion; and he tells you that the connection of the two kingdoms depends on the annexation of the crowns: he is right, but then he slides a little, and he melts down annexation into dependence, and dependence into extinction. He says, your freedom exists in the independence of your Parliament, and your connection in the

independence of the Crown, or rather its extension.

"Thus, the independence of your Parliament comes out to be the independence of two out of the estates, and the extinction of the third, on which extinction depends, by his reasoning, the head of empire. The right honorable member proceeds to threaten us with various consequences, if we combat his doctrines and his plans;—consequences which have no relation to the question before you, and are more likely to flow from the offensive and unconstitutional doctrine, which this night we have heard, than from any thing else. If the King is the head of union, any attack on his essential property, his legislative capacity, and above all, his existence, such as we have shown the doctrine of this night to be, must be also an attack on that union, and on the passions of the subjects, so necessary to preserve that union, in their steady and approved attachment to the person and family of their Sovereign.

"It is a great objection to the doctrine of this night, that it tends to destroy allegiance. The people of this country will be loyal to their King; but when you set up baubles in his place—when you set up phantoms which can give no protection, and are only the stamps of authority;—when, instead of the Royal family wearing the

Irish crown, they are directed to contemplate, as the object of affection, an officer with the great seal in his hand—with the advocate for such a doctrine answer for the affections of His Majesty's subjects of Ireland?—Thus perplexed and confounded by signals instead of princes, and the dead letter of authority instead of the living objects of affection: The people have a pride in their King, and will not transfer their love; but, on the contrary, will kindle at the quibble that would set in his place the great seal, as an object of their allegiance, and the substitute as their Monarch.

“This doctrine is the more criminal, I have said, in its consequences, because it set out with a profession, that the great bond of connection is the King. It mentions, I have said, that the countries are kept together by the Monarch:—having made such a profession, it extinguishes that bond of union, the Monarch of Ireland; and extinguishes with him the affections of his people, attached to his person and family; I say, extinguishes, or vainly means to transfer them to the official stamps by which he acts, and which can excite no passion, command no allegiance, and give no protection; and which, when set in the place of the King, revolt the feelings,



and affect the understanding of plain men, and a sanguine country.

"Gentlemen talk of Government.—What Government can preserve authority on such terms? and what man can entertain a love for the Government of his country, when such a barren quibble, in the place of the Irish crown, is offered to his contemplation; and such a wretched phantom is pretended, not to command, but to bank the loyalty of a sanguine people!—Depend upon it, this argument does not go more to extinguish the King of Ireland, than the allegiance of the Irish nation; they will not be loyal to the English chancellor, nor to the English great seal, nor the officers of the crown, English or Irish, whom chance has made the Ministers of the will of the Monarch.—They demand a real living object of attachment, and expect it not in the fiction, but the family of their Sovereign, in the House of Brunswick, the hereditary Kings, by the laws and constitution of this realm.

"These crown lawyers that undermine the Irish throne are not aware of the mischief of their offensive doctrine; they do not know what valuable passions they extinguish, what principle of attraction they destroy; they do not consider the effect of their sophistry on the human mind, and its

cold posthumous consequences in the breast of every subject; he cannot detect, perhaps, but he revolts at the errors of such doctrine, and turns from phantoms set up in the place of princes, and refuses his allegiance to idols, which the pedants of the profession advance in the place of the sovereign of Ireland; or the family of their sovereign.

“ Could I agree with the principles of the argument of this night; could I banish from this question all recollection of the royal family and the people; could I conceive that the best system for Ireland would be a Government without monarchical power, and a Parliament without deliberative properties; could I imagine, that on the question of an Irish Regency, we should keep clear of two considerations, the Regent of the kingdom, and only attend to our connection with Great Britain, yet I should abjure this doctrine, and this language, as fatal to this principle; I should think that they brought that very connection, I will not say into danger, but they damp the zeal and extinguish the ardour of it, by the offensive and wanton manner in which such doctrines introduce it. Why make the connection with England a wretched theme for sophistry?—Why make it a constant opportunity for rebuke?—Why make it a pretence for the humiliation of

Ireland?—why introduce it, where it is not in danger, and resort to it as a pretence for scolding the people of Ireland?—Why interrupt a proud day like this, with monstrous doctrine that affects to ground itself on that connection, to which it is highly prejudicial, and tell the people of Ireland—“Do not deliberate; do not indulge your temperate ardour to the royal family; do not venture to exercise a free will in favour of your prince; wait for the determinations of another country, and echo them; wait for the great seal of that country, your King,—register, recite!”

“This is incensing one country against another, and making the British name an organ for threats, not arguments; denunciations, not affection; and in order to prove the offensiveness of such doctrine, let me suppose that the British nation were to adopt it, and speak to Ireland in the language of the Irish member. How should we feel, how should we resent? but coming from some of our body it is less inflammatory; and yet is there a country gentleman in this house, who is not by such language inflamed; roused with indignation, not borne down by conviction? On its own principles a love for the connection distinct and superior to allegiance or patriotism.—I condemn this argument—I think the connection must be the first victim of it. I will banish for a moment from my

mind the principles of public virtue, of allegiance to the crown, and love to the people; I will allow that such a question as the present should be ruled exclusively, with a view to connection; yet as the public mind is already impregnated with those patriot and loyal principles, and as we cannot destroy the criminal tendency of allegiance and patriotisms in the minds of our fellow subjects, let us capitulate with virtues which we cannot extirpate, and instead of placing them in contrast, let us set them in harmony with connection—tell your countrymen that your connection with Great Britain is the source of her liberty—make them proud of standing by the side of England—tell them that all their passions and interests can be completely gratified and respectively adhered to with the strictest conformity to every principle of connection; and the boldest exercise of freedom, and the noblest indulgence of every loyal affection, are perfectly conformable to the closest bands with the British connection. This is the way to promote the connection: nations are governed, not by interest only, but by passion also: and the passion of Ireland is freedom; so much her passion is, that if any Parliament could bring this nation, bound hand and foot, to the feet of the throne, with a proffer of her liberties, a wise monarch, who loved power, would reject the

power of her servitude, and set her free to command her absolutely.

“ I must abjure the impolicy of the argument I have heard this night—but on principles, as well as policy, I must condemn ; and even could I have hesitated before about the propriety of the measures I have submitted, yet now I should think it indispensable to insist upon them, because the doctrine advanced is a challenge to this House :— You are now called upon to assert the rights of your monarchy, to maintain the existence of a King of Ireland, and the imperial rights of the Irish crown ; it is no longer about the energy of Government, important as that question may be ; it is no longer a question about the dignity of your princes, great and august as their rank and situation and qualities have rendered them ; it is a question that comes home to yourself—you must exert an original mind on the subject—you must dare to love the royal family—you must do honour to your prince, to exert the freedom of your people.”

APRIL 21st, 1789.

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**BILL for disabling REVENUE OFFICERS  
FROM VOTING AT ELECTIONS.**

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BEFORE we proceed to give the Speech, which Mr. Grattan pronounced on the motion that this Bill should be committed, we shall submit to our readers a statement of those principles by which the Irish opposition at this period regulated their conduct in Parliament.—The administration of the Marquis of Buckingham had become peculiarly odious to the people; the coldness of his demeanour, and the natural reserve of his character, alienated the affections of a nation, whose habits and whose manners were distinguished by candour and sincerity.

Those men who observed the Marquis of Buckingham as Lord Lieutenant of Ireland, saw every effort of the Viceroy directed to the corruption and debasement of Parliament—to the

increase of the patronage of the Castle, and the destruction of Irish independence—they saw that the Viceroy could be restrained by *no* consideration of decorum or respect—that the privileges of Parliament—votes—titles, and peerages, were all brought to public market, to be purchased by the highest bidder—and that if not opposed by a firm, determined phalanx of patriotism, the revolution which raised Ireland from the misery of a province to the dignity of a kingdom, would be soon thrown back into its ancient degradation; and the dazzling struggles of a brave and generous people, defeated by the machinations of domestic treachery, and the insolence of foreign contempt.

The government of Ireland, at this period, was directed by the body of the nobles, and by the body of the people;—in the glowing and brilliant language of Mr. Curran, “Corrupt influence was its only resource—in that it confided. An open contempt of the reprobation of both Houses—an open distrust of the proudest of our nobles and our gentry, and an insolent dismissal from their offices;—and who succeeded them?”—exclaimed Mr. Curran:—“the Marquis of Buckingham’s *own* countrymen—his *own* creatures!—His clerks and runners are preferred to the rank, and virtue, and talent, and responsibility of the country;—yes, the fairest and

the tallest trees in the forest are overshadowed by the luxuriance of exotics;—exotics of the worst kind, that would not grow in their native mould;—hungry and barren—they drain the soil---they bear no blossom---yield no fruit---while you are stunted and shorn---to make room for the fantastic wreathings of *their* sterile exuberance.”

When the Opposition, who, at this period, constituted a powerful and unexampled body of talent, of industry, and zeal, beheld the first and most important characters of their country deprived of their situations under Government, because they did not obey the dictates of the Castle;—when they saw their Duke of Leinster, whose kindness and honesty of heart was the theme of every Irishman---the pride of his country---and the object of universal panegyric—when they saw every man who rendered himself illustrious, by the spirit and independence of his conduct, become the victim of Viceregal vengeance, the leaders of the Irish Opposition thought the period had arrived, when all that was valuable in mind, in character, and in property, should coalesce to stem the sweeping torrent of corruption---they boldly came together, under the title and denomination of the Whig Club, and vindicated the rights of Ireland on every occasion. At



the head of this Club, were the late revered and lamented Duke of Leinster—the charity and benignity of whose nature, shed a mild and dignified character over all its proceedings—the Earl of Charlemont, Mr. Connolly, Mr. Grattan, Mr. Forbes, Mr. Curran, and some others, whose names have extended the literary fame of our country to the remotest corner of the globe. In this association was planned that system of opposition, which for some time suspended the fate of Ireland.—*Here* was her genius marshalled and arrayed, and armed to fight her battles; and perhaps few associations have ever exhibited a greater display of talent or zeal in defence of these principles.

Mr. Grattan, speaking of the Whig Club, thus writes:—"The Minister was the author of it, his doctrines and his half million were the authors of it; but clubs of this kind are only to be *preserved by violence*---that violence did happen---an attack was made on the rights of the city---a doctrine was promulgated, that the Common-council had no right to put a negative on the Lord Mayor, chosen by the Board of Aldermen, except the Board itself should assent to the negative put on its own choice;---this doctrine was advanced by the Court, to secure the election of the Mayor to itself. In the course

of the contest, a Minister involved himself in a general altercation with the citizens;—with Mr. Tandy he had carried on a long war, and with various success;—he was now involved in an altercation more general;—in the compass of his wrath, he paid his compliments to the Wig Club, and that Club advanced the shield of a free people over the rights of the city, and humbled a Minister, in the presence of those Citizens whose privileges he had invaded, and whose powers he had calumniated.”

On the 3d of March, 1789, Mr. Grattan, when bringing forward the following resolution, “ *That recommendations for the purpose of granting the great offices of the kingdom, or the reversion of great offices, to absentees, are improvident and prejudicial, especially now as great annual charges have been incurred by making compensation to absentees for resigning their offices, that those offices might be granted to residents,*” seized the opportunity to state to the House those principles by which the Opposition had determined to regulate their conduct.—On this occasion, he spoke to the following effect :

"SIR,

"I now to offer to the House a resolution which I think absolutely necessary, from a transaction that has lately taken place. I think it necessary to call to the attention of the House, certain principles, which the gentlemen with whom I have generally the honor to coincide, consider as the indispensable condition without which no Government could expect their support, and which the present Government have resisted.

"The first, is a reform of the Police.—At present the institution can only be considered as a scheme of *patronage* to the Castle, and *corruption* to the City—a scheme which had failed to answer the end of preserving public peace, but had fully succeeded in extending the influence of the Castle.

"It had been thrown out on a former occasion, when I had intimated my intention of reforming the police, that the bill to be proposed would be as bad as that at present existing; but that assertion was not founded in truth. The bill which I will introduce is intended to rescue the corporation of the city out of the court, and to make them responsible to the public for their

conduct—to restore the peace and liberty of the city, and to guard against any abuse of power in those to whom the guardianship of that peace and liberty should be committed. This bill had, in the last session, been stated as necessary, but had been resisted by Lord Buckingham's Government; but it shall now be seen introduced.

“Another principle much desired, was to restrain the abuse of pensions by a bill similar to that of Great Britain. This principle Lord Buckingham has resisted, and his resistance to it is one great cause of my opposing his Government.

“To these I will add another principle—The restraining revenue officers from voting at elections; this was a *principle* of the British Parliament, and it was certainly more necessary here, from what had lately taken place, where, by a certain union of family interests, *counties* had become boroughs; and these *boroughs* had become private property.

“But the principle to which I beg to call the immediate attention of the House is, that of preventing the great offices of the State from being given to *absentees*. This is a principle admitted by all to be founded in national right, purchased by liberal compensation; and every

departure from it must be considered as a slight to the nobility and gentry of Ireland, who certainly were better entitled to the places of honor and trust in their own country, than any absentees could possibly be ; but besides the slight shown to the nobility and gentry of Ireland, by bestowing places of honor, of profit, and of trust on absentees, the draft of money from this country, the institution of deputies, (a second establishment unnecessary, were the principals to reside) the double influence arising from this, raised the abuse into an enormous grievance.

“ After the nation had recovered its liberty, one of the first objects was to bring home the great offices of the State ; these had been taken away in an unjust manner, and in violation of native right, when the country was under oppression. I do not mean to enter into a question, whether too much was paid for bringing home great employments ; I would not dispute the price, as it was the purchase of a *principle* ; but the principle being once established, that it was wise and honorable in the nation to purchase home the great offices of the State, and this having been actually reduced to practice in the instances of the Chancellorship of the Exchequer, the Vice Treasurership, the Clerk of the Crown and Ha-

maper, &c. it followed, as a necessary consequence, that the granting away again great places to absentees must be highly improper, and a gross violation of the principle purchased by the nation.

“With regard to the pension granted to Mr. Grenville, I shall say a few words. Of that gentleman’s merits, in his own country, I will say nothing; they could be no reason for granting him a great employment in this, where it was most certain he never would reside; and therefore, in condemning the grant, no one had a right to argue that it was condemned as a grant to the Lord Lieutenant’s brother, but as a grant to a person that must necessarily be an absentee; it must be condemned as a slight, and an affront to the native resident nobility and gentry of Ireland.

“Is this House ready to submit to such an insult? is it ready to submit to have the principle which it had purchased, violated? is it ready to return to that state of degradation and contempt from which the spirit of the nation had so lately emancipated itself? If you be not, you will not hesitate to come to a resolution, asserting the principle which you have purchased. I will submit such a resolution, worded in the most guarded manner, not attacking the prero-

gative of the Crown to grant, but condemning the advice by which the Crown was misled to abuse that prerogative."

Pursuant to the principles laid down by Mr. Grattan in the foregoing statement to be the rule by which the conduct of the Opposition was to be regulated, he proceeded, on the 15th of April, to present a "Bill for the better securing the freedom of election of Members to serve in Parliament, by disabling certain officers employed in the *collection or management* of his Majesty's Revenue from giving their Votes at Irish Elections."

A motion being made, on the 21st of April, that the Bill should be committed, the Government collected all their real friends to oppose a measure—which struck at the root of one of the greatest abuses with which power was then afflicting the country.—The Revenue Officers presented their petition complaining, in the language of *Freemen*, of the threatened violation of their franchises; and their advocates in Parliament exhausted the resources of sophistry in their efforts to discover any thing like plausible reasoning against the honest and legislative recommendation of Mr. Grattan in the following Speech, which formed the happiest and fairest reply

to the futile arguments by which he was opposed.

He states the objections to the Bill, and gives to those objections a triumphant refutation.

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“MR. SPEAKER,

“I hope that if any thing falls from the right honorable gentleman, the first Commissioner, that deserves attention, I may be indulged with a reply. That right honorable gentleman, much connected with, much interested on this subject, promises to speak to it at large: when he does, and speaks to it argumentatively, I hope I, like him, may be heard a second time.

“I beg to remind this House, that the Bill now under your consideration did, nearly in the same words, pass this House with the *entire consent* of most of those gentlemen who are now taught to exclaim against it, as an attack on the rights of the people. They themselves then made that attack: they were guilty of the crime they charged, and they and this House, and the Ministers of the Crown, were involved in this enormity. Such a Bill did pass the Commons—such a Bill did



receive the concurrence of its present vehement opponents—such a Bill was transmitted under the great seal of Ireland—and such a Bill came back under the great seal of England.

“It was lost in the Lords, I acknowledge; but I do by no means acknowledge that we are to attribute the loss of the Bill in the Lords to the absurd and preposterous surprise of a right honorable gentleman, who tells us that the Lords on that occasion were champions of the constitution. The Lords threw the Bill out, because the then Ministry were turned out; the Bill and the Ministry both shared the same fate, and the people lost a good *Ministry and a good Bill*.

“Sir, this Bill has been now combated on various grounds, and first *partiality*. It is said that the Bill is partial, because it does not extend to all revenue officers; and partial, because it does extend to all the officers of the Crown, and to all professions, to the law and to the army. To the first part of this objection, the Bill itself is the answer. It *does* extend to all revenue officers, and a blank is left for such exceptions as may be agreed on; and if the Bill did not, which it does, extend to all revenue officers, the imperfection of its formation is no argument against its committal. To the other part of the objection, the answer is to be found in the difference of

the subject matters compared—the law, the army and the revenue.

“The first is a profession—an independent profession—the bar is not fed by the minister. The gentlemen of the bar do not resemble excisemen, tide-waiters, hearth-money collectors, tide-surveyors, in number, in sentiment, or in condition.—Those of the bar, who are servants of the Crown, are, compared with such a tribe, not numerous; and compared with the bulk of electors, nothing. The mischief, therefore, is not the same in its extent, nor in the rankness of its nature.

“The army, that part of it which is composed of officers, does not contain numbers to affect the elections of the people; that part of it which is composed of rank and file men, do not contain electors;—common soldiers are not freeholders, nor likely to become such; but if a colonel of a regiment should do what a commissioner is said to have done—if he should make his troop or his battalion such occasional voters, in a county or borough, I do *then* believe Parliament would interfere; because then a very probable and unforeseen mischief would have taken place.

“But though the laws of England have not disqualified the military from giving votes at

elections, they have removed them from the place of election, guarding the rights of the people against the evil incidental to the army—force;—as they have guarded those rights against the evil incidental to the revenue officers—corruption.

“The laws of England have considered the different nature of the different members of the community, and have affected certain suspicions and jealousies to certain descriptions of men.—They have marked the officers of the revenue as a body, from their independency, from their rank, from their habit, from their occupation, and, from their numbers, the most liable to undue influence, and the most extensive instrument thereof. They have considered the hardship it would be to a people, not only to pay to the crown a great revenue, but to find, in that very grant, an influence arise, prejudicial to their own freedom.

“The right of election is the people’s share of sovereign power; the occasional, the corrupt voter, is an usurper on that share. In Athens, the stranger who intruded himself into their councils, was punished with death;—he was guilty of high treason against the majesty of the people.

"In Rome, when they reserved their democratic rights, they preserved their freedom;—when they imparted them to Italy, they gave away their independence."

"Those rights, whether simple, as in Athens, or mixed, as in Ireland, are sacred; and when you hesitate to disqualify men, whose dependency makes them incapable of a faithful exercise of those rights, and whose numbers make them dangerous in the abuse of their privileges, you reject those precautions which are necessary for constitutional preservation; you feel the outcry of franchise against the independence of election; and the mask and affectation of freedom against the substance. The objection of this Bill, as far as it relates to partiality, I think I have answered;—but gentlemen say, we have not any fact whereon to ground a surmise against the independency of the officers of the Revenue. Sir, the nature of their situation is a sufficient argument for that surmise. Their dependency on the Minister, or on the Commissioners, who are dependant on the Minister, is a fact; their corruptibility, from their rank, their habit, and other circumstances, a high degree of probability;—here is a situation, which is in itself a disqualification; and instead of demanding proofs of undue influence exerted, you should be satis-

fled with the view of the situation itself; where undue influence, if exerted, could not be resisted. When gentlemen call for proofs, they know well that the nature of the mischief renders proofs difficult?—Who can trace the ways of undue influence?—Who can follow the clandestine hint which a minister may give, or a Commissioner may convey?

“The nature of undue influence is to elude the eye. Who can prove that a member of Parliament was ever influenced; and yet who can doubt it?—And therefore this objection, which bawls out for proof, is founded on the difficulty of the discovery, not the consciousness of innocence—but facts are not wanting, if report says true.

“Some time in the month of January, on the eve of an apprehended election, a batch of Custom-house officers, and of persons employed in the new Custom-house, architects, glaziers, slaters, plumbers, stationers, iron-mongers, went down, like a horde of Tartars, to the county of Waterford, to register;—having purchased forty-shilling freeholds in the borough of Dungarvan, which gave them votes for the election of the county of Waterford, of which the first Commissioner is the representative, and for the borough of Dungarvan, of which the son of that Commissioner is representative.——If this re-

must be true, here is a direct attack made for the family of the Commissioner, by the revenue-officers under his dominion, and by the tradesmen employed in the new Custom-house, under his direction;—an attack made on the rights of election. Here is that influence of which we speak, attempting to make a borough private property, and to convert a county into a borough;—here is that very fact, which gentlemen called for—here is revenue influence—here is an exertion of that influence—here are occasional voters, non-resident voters, Custom-house voters, attempting to make a county and a borough the private property of the family of the first Commissioner of the Revenue.—Sir, it is a strong argument, in the committal of this Bill, that in the committee you may inquire into the ground of this report—there you may learn that you have fact as well as argument for this Bill.

“ Sir, gentlemen, aware that all the arguments founded in principle or expediency were against them, have affected to reduce this Bill to a question of power, and have boldly told you, that Parliament has no power to disqualify revenue officers from voting at elections; grave and learned law authority has advanced such a dictum; and give me leave to inform learned and grave law authority, that such a dictum is a gross libel on all the proceedings of the British

nation; on the Bill disqualifying placemen of a certain description from sitting in Parliament; pen-sioners of a certain description from sitting in Parli-ament, and revenue officers from voting for members to serve in Parliament—unfortunately for the argu-ment of the learned member, these Bills are not only the laws of England, but happen to be enacted in times in which the constitutional spirit of England exerted itself with peculiar energy; and these happen not only to be the laws of England, enacted in her most virtuous moments, but founded on the principles of other acts, that arise out of the spirit of her constitution;—for instance, the 5th of William III. makes the interference of any collector, &c. in the Exchequer to influence a voter, fine and disqualification in the re-venue officer;—the 12th William makes such inter-ference in commissioners, collectors, &c. concerned in the custom, fine and disqualification;—the 10th Anne makes such interference of commissioners, collectors, &c. concerned in the salt duties, fine and disqualification;—the Bill of the present reign goes further, and guards the subject against the intrusion of the revenue officer, as the former had guarded him against his influence; so that the officers of the revenue shall not influence elections, either as the creditors of the Electors, or as the agents of the Crown: and this is a precau-tion which the learned gentleman supposes to go

beyond the power of Parliament—he too calls for proofs:—proofs of what?—Had England, when she disqualified placemen of a certain description from seats in Parliament, proofs of their corruption? Had England, when she disqualified pensioners from sitting in Parliament, proofs of their corruption? Had England, when she disqualified revenue officers from voting in Parliament, proofs of their corruption? No; she did not proceed on the penal idea of punishing individuals, but on the salutary principle of saving the people.—She did not, like the learned gentleman, confound a natural with a political right; nor supposed every man, except a criminal, had a right to share the democratic powers of the constitution;—she considered that a situation, rendering the individual incapable of the unbiased use of those powers, a disqualification, even though the individual was not a criminal.—franchise being not a private property to be sold, but a public duty to be discharged. Gentlemen say, England is no example.—that the beneficial laws of England are no model for Ireland: what right have they to hold out such language to the people? what physical, political, or moral blemishes do the people of Ireland inherit? or is it on their authority that the Ministers of the Crown presume to badge the people of this country with their opprobrious distinctions? Is it because the people of Ireland have



not the same wholesome food, that they should not have the same beneficial laws? Your people are not worse than the English, that they should have less privileges; are your Ministers better, that they should have more powers? Are the Ministers of Ireland fonder of the people of this country, than the Ministers of the sister country are of Great Britain? Are they not often aliens in affection as well as birth? disposed to dispute your rights, censure your proceedings, and to boast that you cannot punish them, and that therefore they do not fear you? Are they not proud to humble you, and ambitious to corrupt you? Your commissioners, are they better than those in England, that they should be trusted with more powers? Are they more independent than the English commissioners in sentiment or situation? are they less rapacious—less ambitious—less craving—less servile, or less ministerial?

“ Give me some decent and plausible reason for refusing to Ireland those beneficial acts which are the essential preservatives of the British constitution, and the fundamental laws of that country. I fear you have only adopted the Constitution of England, but you have not adopted her precaution. The Pension Bill—the Place Bill—the Disqualification Revenue Bill—Acts tending to secure longevity to freedom—these

you despise—and the same men who originally opposed the introduction of British freedom into this country, now oppose every measure necessary for its preservation. Gentlemen have endeavoured to justify this distinction, by insisting on the paucity of freeholders—and they state, that when your voters are few they should not disqualify so great a proportion of them as the Revenue officers compose.—Just the contrary; you should disqualify them;—you should, when your members are few, take care they should be pure;—the great portion of poison poured into so small a body of voters, must have greater and more fatal effect. The fact is, influenced voters do not add to, but diminish the number of your electors.—Sir, they are a counterpoise;—eighty occasional Revenue officers in the county of Waterford, are eighty good votes not added, but counteracted, and make the constituent body so much the less.

“ Directly opposite to this is another argument, which insists on the paucity of Revenue voters, compared to the electors in general, as an argument against the Bill.

“ Sir, the revenue officers in this kingdom are from 2500 to 3000, and your counties are not more than thirty-two; the proportion which they bear to freeholders in Ireland, where this

bill must not take place, is considerable ;—in England, where this bill does take place, nothing.—Diversity of situation is, therefore, in argument not against this bill ; but for it you require more precaution than England does ;—you have a weaker body to defend—you have a more tender constitution to preserve ;—the method you have hitherto taken to preserve that weakly constitution, has been to adopt the penal, the criminal, the unconstitutional code of England, especially in your Revenue Bill, with a guilty accuracy, and to overlook the beneficial and constitutional code with a blind abhorrence ;—your nice distinction has been to make England an example for the purpose of coercion, and none for the purpose of privilege.

“ Wait, says a right honorable gentleman ; do not adopt cautionary laws until the evil has happened ;—England did not disqualify her Revenue officers until she had declared the influence of the Crown had become terrible ;—and the Member advises you to postpone the security until the arrival of the danger.

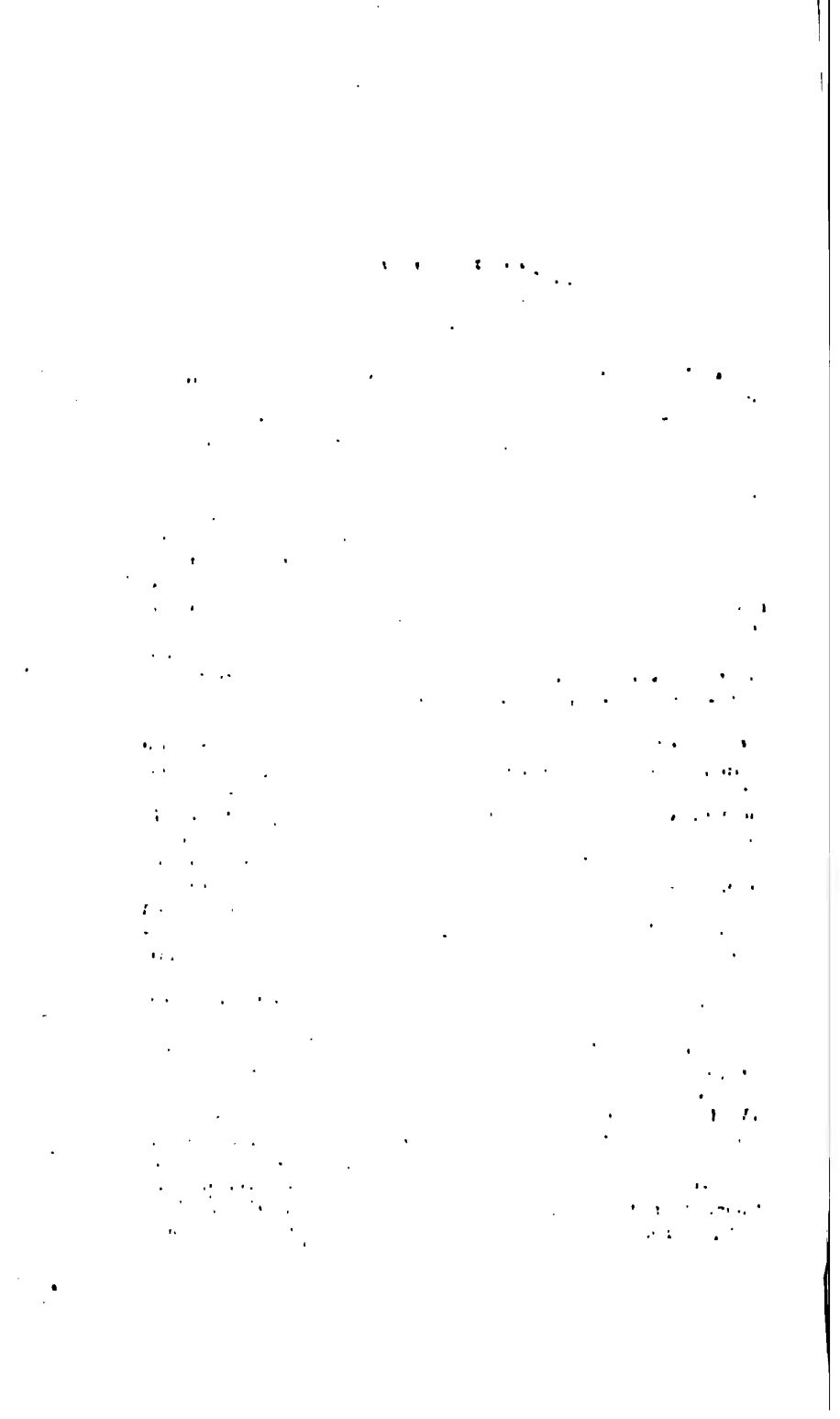
“ Sir, there are many more reasons for this Bill than those which I have stated—reasons founded on revenue as well as constitutional considerations ;—but there is one argument for

it, that must strike every one here present, that is, the difficulty of *obtaining it*.

“The number of advocates, of patrons for the Revenue-officers, the interest which Government, and which the Commissioners seem to have in their franchise, is a proof (if proof is required) of the existence and extent of the evil which this bill would guard against—a proof that other men, besides the officers in question, have a property in this franchise.

“When a certain quarter turns advocate for the *rights* of the people, it is a symptom that *such rights are bartered with*;—when they cry out *franchise*, it is a symptom that the franchise is *abused*. This Bill will now be lost, but this Bill will be the *law* of Ireland.”

The Bill was negatived by a considerable majority.



## APPENDIX.

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THE following was the form of the new resolutions, or propositions, referred to in page 20.

I. That it is highly important to the interests of both countries, that the commerce between Great Britain and Ireland should be finally regulated on permanent and equitable principles, for the mutual benefit of both countries.

II. That a full participation of commercial advantages should be permanently secured to Ireland, whenever a provision, equally permanent and secure, shall be made by the Parliament of that kingdom towards defraying, in proportion to its growing prosperity, the necessary expenses, in time of peace, of protecting the trade and general interests of the empire.

III. That towards carrying into full effect so desirable a settlement, it is fit and proper that all articles, not the growth or manufacture of Great Britain or Ireland, "except those of the growth, produce, or manufacture of any of the countries beyond the Cape of Good Hope, to the Streights of Magellan," should be imported into each kingdom from the other reciprocally, under the same regulations, and at the same duties, (if subject to duties) to which they "would be" liable when imported directly from the country or place from whence the same may "have been imported into Great Britain or Ireland respectively, as the case may be;" and that all duties originally paid on importation into either country respectively, except on arrack and foreign brandy, and on rum, and all other sorts of strong waters not imported from the British colonies in the West Indies, shall be fully drawn back on exportation to the other. "But, nevertheless, that the duties shall continue to be protected and guarded as at present, by withholding the drawback, until a certificate from the proper officers of the revenue in the kingdom to which the export may be made, shall be returned and compared with the entry outwards."

IV. That it is highly important to the general interests of the British empire, that the laws for regulating trade and navigation should be the same in Great Britain and Ireland; and therefore, that it is essential towards carrying into effect the present settlement, that *all laws which have been made, or shall be made in Great Britain, for securing exclusive privileges to the ships and*

merchandise of Great Britain, Ireland, and the British colonies and plantations, and for regulating and restraining the trade of the British colonies and plantations, such laws imposing the same restraints, and "confering the same benefits on the subjects of both kingdoms, should" be in force in Ireland, "by laws to be passed by the Parliament of that kingdom for the same time, and" in the same manner as in Great Britain.

V. That it is farther essential to this settlement, that all goods and commodities of the growth, produce, or manufacture, of British or foreign colonies in America, or the West-Indies, and the British or foreign settlements on the coast of Africa, imported into Ireland, should, on importation, be subject to the same duties "and regulations," as the like goods are, or from time to time shall be subject to, upon importation into Great Britain; "or if prohibited from being imported into Great Britain, shall in like manner be prohibited from being imported into Ireland."

VI. That in order to prevent illicit practices, injurious to the revenue and commerce of both kingdoms, it is expedient, that all goods, whether of the growth, produce, or manufacture of Great Britain or Ireland, or of any foreign country, which shall hereafter be imported into Great Britain from Ireland, or into Ireland from Great Britain, should be put, by laws to be passed in the Parliament of the two kingdoms, under the same regulations with respect to bonds, caskets, and other instruments, to which the like goods are now subject in passing from one port of Great Britain to another.

VII. That for the like purpose, it is also expedient, that when any goods, the growth, produce or manufacture of the British West-India islands, "or any other of the British colonies or plantations," shall be shipped from Ireland for Great Britain, they should be accompanied with such original certificates of the revenue officers of the said colonies as shall be required by the law on importation into Great Britain; and that when the whole quantity included in one certificate shall not be shipped at any one time, the original certificate, properly indorsed as to quantity, should be sent with the first parcel; to identify the remainder; if shipped at any future period, new certificates should be granted by the principal officers of the ports in Ireland, extracted from a register of the original documents, specifying the quantities before shipped from thence, by what vessels, and to what ports.

VIII. That it is essential for carrying into effect the present settlement, that all goods exported from Ireland to the British colonies in the West-Indies, or in America, "or to the British settlements on the coast of Africa," should from time to time be made liable to such duties and draw-backs, and put under such regulations as may be necessary, in order that the same may not be exported with less incumbrance of duties or impositions than

the like goods shall be burthened with when exported from Great Britain.

IX. That it is essential to the general commercial interests of the empire, "that so long as the Parliament of this kingdom shall think it advisable that the commerce to the countries beyond the Cape of Good Hope shall be carried on solely by an exclusive company, having liberty to import into the port of London only, no goods of the growth, produce, or manufacture of any countries beyond the Cape of Good Hope should be importable into Ireland from any foreign country, or from any settlement in the East-Indies belonging to any such foreign country; and that no goods of the growth, produce, or manufacture of the said countries should be allowed to be imported into Ireland but through Great Britain; and it shall be lawful to export such goods of the growth, produce, or manufacture of any of the countries beyond the Cape of Good Hope to the Streights of Magellan from Great Britain to Ireland, with the same duties retained thereon as are now contained on their being exported to that kingdom; but that an account shall be kept of the duties retained, and the net drawback on the said goods imported to Ireland; and that the amount thereof shall be remitted by the Receiver General of His Majesty's customs in Great Britain to the proper officer of the revenue in Ireland, to be placed to the account of His Majesty's revenue there, subject to the disposal of the Parliament of that kingdom; and that whenever the commerce to the said countries shall cease to be carried on by an exclusive company in the goods of the produce of countries beyond the Cape of Good Hope to the Streights of Magellan, the goods should be importable into Ireland from countries from which they may be importable to Great Britain, and no other; and that no vessel should be cleared out from Ireland for any part of the countries from the Cape of Good Hope to the Streights of Magellan, but such as shall be freighted in Ireland by the said exclusive company, and shall have sailed from the port of London; and that the ships going from Great Britain to any of the said countries beyond the Cape of Good Hope should not be restrained from touching at any of the ports in Ireland, and taking on board there any of the goods of the growth, produce, or manufacture of Great Britain."

X. That no prohibition should exist in either country, against the importation, use, or sale of any article, the growth, or manufacture of the other; except such as either kingdom may judge expedient, from time to time, upon corn, meal, malt, flour and biscuits; "and except such qualified prohibitions, at present contained in any act of the British or Irish Parliament as do not absolutely prevent the importation of goods or manufactures, or materials of manufactures, but only regulate the weight, the size, the packages, or other particular circumstances, or prescribe the built or country, and dimensions of the ships importing the same; and also, except on ammunition, arms, gunpowder, and other utensils of war, importable only by virtue of His Majesty's



license;" and that the duty on the importation of every such article (if subject to duty in either country) should be precisely the same in the one country as in the other, except where an addition may be necessary in either country, in consequence of an internal duty on any such article of its own consumption, "or in consequence of internal bounties in the country where such article is grown, produced, or manufactured; and except such duties as either kingdom may judge expedient, from time to time, upon corn, meal, malt, flour, and biscuits."

XI. That in all cases where the duties on articles of the growth, produce, or manufacture of either country, are different on the importation into the other, it is expedient that they should be reduced, in the kingdom where they are the highest, to an "amount not exceeding" the amount "payable in the other;" so that the same shall not be less than ten and a half per cent. upon "any article which was charged with a duty, on importation into Ireland, of ten and a half per cent. or upwards, previous to the 17th day of May, 1783;" and that all such articles should be exportable from this kingdom, into which they shall be imported, as free from duty as the similar commodities or home manufactures of the same kingdom.

XII. That it is also proper, that in all cases where the articles of the consumption of either kingdom shall be charged with an internal duty on the manufacture, the said manufacture, when imported from the other, may be charged with a farther duty on importation, adequate to countervail the internal duty on the manufacture "as far as relates to the duties now charged thereon;" such farther duty to continue so long only as the internal consumption shall be charged with the duty or duties, to balance which it shall be imposed; and that where there is a duty on the importation of the raw material of any manufacture in one kingdom, greater than the like duty on raw materials in the other, such manufacture may, on its importation "into the other kingdom," be charged with such a countervailing duty as may be sufficient to subject the same, so imported, to "burdens adequate to those which" the manufacture composed of the like raw material is subject to, in consequence of duties on the importation of such materials in the kingdom into which such manufacture is so imported; and the said manufacture so imported, shall be entitled to such drawbacks or bounties on exportation, as may leave the same subject to no heavier burden than the home-made manufacture.

XIII. That, in order to give permanency to the settlement now intended to be established, it is necessary, that no new or additional duties should be hereafter imposed in either kingdom on the importation of any article of the growth, produce, or manufacture of the other, except such additional duties as may be requisite to balance the duties on internal consumption, pursuant to the foregoing resolution, or in consequence of bounties remaining on such articles when exported to the other kingdom.

XIV. That for the same purpose, it is necessary, farther, that no prohibition, or new additional duties, shall be hereafter imposed in either kingdom, on the exportation of any article of native growth, produce, or manufacture "from the one kingdom" to the other, except such as either kingdom may deem expedient from time to time, upon corn, meal, malt, flour, and biscuits.

XV. That for the same purpose, it is necessary, that no bounties whatsoever should be paid or payable in either kingdom, on the exportation of any article to the other, except such as relate to corn, meal, malt, flour, and biscuits, "and except also the bounties at present given by Great Britain" on beer, and spirits distilled from corn; and such as are in the nature of drawbacks or compensation for duties paid, and that no bounty should be "payable" on the exportation of any article to any British colonies or plantations, "or to the British settlements on the coast of Africa," or on the exportation of any article imported from the British plantations, "or from the British settlements on the coast of Africa, or British settlements in the East Indies;" or any manufacture made of such article, unless in cases where a similar bounty is payable in Great Britain, on exportation from thence, or where such bounty is merely in the nature of a drawback or compensation of or for duties paid, over and above any duties paid thereon in Britain; and where "any internal bounty shall be given in either kingdom, on any goods manufactured therein, and shall remain on such goods when exported, a countervailing duty adequate thereto may be laid upon the importation of the said goods into the other kingdom."

XVI. That it is expedient for the general benefit of the British empire, that the importation of articles from foreign "countries" should be regulated from time to time in each kingdom on such terms as may "effectually favor the importation of similar articles of the growth, product, or manufacture of the other, "except in the case of materials of manufactures, which are, or hereafter may be allowed to be imported from foreign countries, duty free; and in all cases where any articles are or may be subject to higher duties on importation into this kingdom, from the countries belonging to any of the States of North America, than the like goods are or may be subject to when imported, as the growth, produce, or manufacture of the British colonies and plantations, or as the produce of the fisheries carried on by British subjects, such articles shall be subject to the same duties on importation into Ireland, from the countries belonging to any of the States of North America, as the same are or may be subject to on importation from the said countries into this kingdom."

"That it is expedient, that measures should be taken to prevent disputes touching the exercise of the right of the inhabitants of each kingdom to fish on the coast of any part of the British dominions."

XVIII. That it is expedient, that "such privileges of printing and vending books as are or may be legally possessed within Great Britain, under the grant of the Crown or otherwise; and" the copy-rights of the authors and booksellers of Great Britain, should continue to be protected in the manner they are at present, by the laws of Great Britain; and that it is just that measures should be taken by the Parliament of Ireland for giving the like protection to the copy-rights of the authors and booksellers of that kingdom.

"XIX. That it is expedient, that regulations should be adopted with respect to patents to be hereafter granted for the encouragement of new inventions, so that the rights, privileges, and restrictions thereon granted and contained, shall be of equal duration and force throughout Great Britain and Ireland."

XX. That the appropriation of whatever sum the gross hereditary revenue of the kingdom of Ireland (the due collection thereof being secured by permanent provisions) shall produce, after deducting all drawbacks, repayments, or bounties granted in the nature of drawbacks, over and above the sum of six hundred and fifty-six thousand pounds in each year, towards the support of the naval force of the empire, to be applied in such manner as the Parliament of Ireland shall direct, by an act to be passed for that purpose, will be a satisfactory provision, proportioned to the growing prosperity of that kingdom, towards defraying, in time of peace, the necessary expenses of protecting the trade and general interests of the empire.

#### PROCEEDINGS OF THE LORDS AND COMMONS OF IRELAND, WITH RESPECT TO THE REGENCY.

On the 16th of Feb. 1789, the House of Lords met, according to their last adjournment, when a motion was made for a further adjournment, (it being now the primary object of Government to extend the Chapter of Accidents by gaining time) but was rejected. The Earl of Charlemont then moved for the Address to the Prince, in the words of that which had been voted in the Commons, which, with some amendment, was carried by a majority of nineteen.

On the 19th both Houses waited upon the Lord Lieutenant with their Address, and requested him to transmit it to His Royal Highness. With this request his Excellency refused to comply; returning for answer, that under the impressions he felt of his official duty, and of the oath he had taken, he did not con-

sider himself warranted to lay before the Prince an Address, purporting to invest His Royal Highness with powers to take upon him the Government of that realm, before he should be enabled by law so to do; and therefore was obliged to decline transmitting their Address to Great Britain.

Upon the return of the Commons to their own House, and the answer of the Lord Lieutenant being reported to them, Mr. Grattan observed, that in a case so extremely new, it would be highly improper to proceed with hurry or precipitation; the House was called upon to act with dignity, firmness, and decision; and therefore, that due time might be had for deliberation, he would move the question of adjournment; which was put and carried without opposition.

On the day following, Mr. Fitzherbert moved, that the Lord Lieutenant's answer should be entered on the Journals.

Mr. Grattan said, he was satisfied to let the answer be entered on the journals, in order to make way for some resolutions, which he intended to propose, as necessary to carry the intention of the two Houses into effect, and as a vindication of their honor and constitutional conduct.

The answer being entered on the Journals, Mr. Grattan moved, "That his excellency the Lord Lieutenant having thought proper to decline to transmit to His Royal Highness George Prince of Wales, the Address of both Houses of Parliament, a competent number of members be appointed by this House, to present the said Address to His Royal Highness."

Mr. Grattan's motion was carried by a majority of 130 against 74.

Then Mr. Grattan moved, "That Mr. Connolly should attend the Lords with the said resolution and acquaint them, that the Commons requested them to appoint members of their own body to join with the members of the Commons in presenting the said Address."

This also passed without any division; and Mr. Connolly went up to the Lords accordingly.

The message received in reply was, that the Lords had concurred in the resolution of the Commons, and had appointed his Grace the Duke of Leinster and the Earl of Charlemont to join with such members as the Commons should appoint to present the address of both Houses to his Royal Highness the Prince of Wales.

Mr. Grattan then moved, "that the Right Honorable Thomas Connolly, the Right Honorable J. O'Neil, the Right Honorable W. B. Ponsonby, and J. Stewart, Esq. should be appointed commissioners on the part of the Commons for the purpose of presenting the Address to His Royal Highness the Prince of Wales," and they were appointed unanimously.

The committee of the two Houses of Parliament arrived in London on the 25th of February, 1789, and the day following presented their Address to the Prince of Wales, at Carlton-house.

The following was the Answer of His Royal Highness the Prince of Wales.

“ MY LORDS AND GENTLEMEN,

“ The address from the Lords spiritual and temporal, and Commons of Ireland, which you have presented to me, demands my warmest and earliest thanks. If any thing could add to the esteem and affection I have for the people of Ireland, it would be the loyal and affectionate attachment to the person and government of the King, my father, manifested in the Address of the two Houses.

“ What they have done, and their manner of doing it, is a new proof of their undiminished duty to His Majesty, of their uniform attachment to the House of Brunswick, and their constant attention to maintain inviolate the concord and connection between the kingdoms of Great Britain and Ireland, so indispensably necessary to the prosperity, the happiness, and the liberties of both.

“ If, in conveying my grateful sentiments on their conduct, in relation to the King, my father, and to the inseparable interest of the two kingdoms, I find it impossible to express adequately my feelings on what relates to myself, I trust you will not be the less disposed to believe, that I have an understanding to comprehend the value of what they have done, a heart that must remember, and principles that will not suffer me to abuse their confidence.

“ But the fortunate change which has taken place in the circumstance, which gave occasion to the Address agreed to by the Lords and Commons of Ireland, induces me to delay, for a few days, giving a *final answer*; trusting, that the joyful event of His Majesty's resuming the personal exercise of his Royal Authority, may then render it only necessary for me to repeat those sentiments of gratitude and affection to the loyal and generous people of Ireland, which I feel indelibly imprinted on my heart.

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Soon after the above Answer was given by the Prince of Wales to the Commissioners, delegated by the Lords and Commons of Ireland, His Majesty was restored to the prayers and wishes of a loyal and affectionate people. The Irish Commissioners were again requested to wait on His Royal Highness, who addressed them in the following terms, equally honorable to his heart and to his head; displaying, with equal happiness, his gratitude to Ireland, and his filial piety to his royal father:

*“My Lords and Gentlemen,*

“The happy event of the King’s recovery, and the consequent re-assumption of the exercise of his auspicious Government, announced by his royal commission, for declaring the further causes of holding the Parliament of Great Britain, has done away the melancholy necessity which gave rise to the arrangement proposed by the Parliament of Ireland; but nothing can *obliterate* from my memory, and my gratitude, the principles upon which that arrangement was made, and the circumstances by which it was attended. I consider your generous kindness to His Majesty’s Royal Family, and the provision you made for preserving the authority of the Crown in its constitutional energy, as the most unequivocal proof which could be given of your affectionate loyalty to the King at this time, when, by an afflicting dispensation of Providence, his Government has suffered an intermission, and his house was deprived of its natural protector.

“I shall not pay so ill a compliment to the Lords and Commons of Ireland, as to suppose that they were mistaken in their reliance on the moderation of my views, and the purity of my intentions. A manly confidence directing the manner of proceeding towards those who entertain sentiments becoming the high situation to which they are born—furnishes the most powerful motives to the performance of their duty—at the same time that the liberality of sentiment which, in conveying a trust, confers an honor, can have no tendency to relax that provident vigilance and that public jealousy which ought to watch over the exercise of power.”

*“My Lords and Gentlemen,*

“Though full of joy for the event which enables me to take leave of you in this manner, personally, I cannot but regret your departure. I have had an opportunity of acquiring a knowledge of your private characters, and it has added to the high esteem which I had before entertained for you, on account of your public merits; both Houses made you the worthy representatives of the great bodies to which you belong. I am confident that I need not add my earnest recommendations to the Parliament and people of Ireland, to continue the harmony of the two kingdoms, which in their *mutual perfect freedom* will find the closest as well as happiest bond of their connection.”

Answer of the Lord Lieutenant to the address of both Houses, requesting him to transmit their address to the Prince of Wales.

*"My Lords and Gentlemen,*

"Under the impression which I feel of my official duty, and of the oath which I have taken, as Chief Governor of Ireland, I am obliged to decline transmitting this address into Great Britain; for I cannot consider myself warranted to lay before the Prince of Wales an address, purporting to invest His Royal Highness with powers to take upon him the Government of this realm, before he shall be enabled *by law* so to do.

END OF VOL. I.

VCF

The first of these is the fact that the  
 government has been unable to raise the  
 necessary funds to meet its obligations.

### THE PROBLEM

The government has been unable to raise the  
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### CONCLUSION

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